



C. Earl Hunter, Commissioner

*Promoting and protecting the health of the public and the environment.*

## ***PUBLIC NOTICE***

### ***CLARIFICATION***

**SC Department of Transportation – P/N# 2008-02169-DIM-P**

The Army Corps of Engineers placed the above project on public notice on January 16, 2009. OCRM did not place this project on public notice because additional information was required from the applicant. This notice is to clarify that OCRM is placing the above project on public notice January 30, 2009 and that the correct suspense date to have comments to OCRM is March 1, 2009.

**Comments will be received on this public notice at the address below until March 1, 2009. For further information, please contact the project manager, Geordie J Madlinger at 843 846-9400.**

**January 30, 2009**

**SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL**

**Ocean and Coastal Resource Management**

**Beaufort Office • 104 Parker Drive • Beaufort, SC 29906 • Phone: (843) 846-9400 • Fax: (843) 846-9810 • [www.scdhec.gov](http://www.scdhec.gov)**

**JOINT**  
**PUBLIC NOTICE**

**CHARLESTON DISTRICT, CORPS OF ENGINEERS**

69A Hagood Avenue

Charleston, South Carolina 29403-5107

and the

**S.C. DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL  
OFFICE OF OCEAN AND COASTAL RESOURCE MANAGEMENT**

1362 McMillan Avenue, Suite 400

Charleston, South Carolina 29405

**REGULATORY DIVISION**

Refer to: P/N #2008-02169-DIM-*P*

16 January 2009

Pursuant to Section 10 of the Rivers and Harbors Act of 1899 (36 U.S.C. 403), Sections 401 and 404 of the Clean Water Act (33 U.S.C. 1344), and the South Carolina Coastal Zone Management Act (48-39-10 *et seq.*) an application has been submitted to the Department of the Army and the S.C. Department of Health and Environmental Control by

**SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION  
POST OFFICE BOX 191  
COLUMBIA, SOUTH CAROLINA 29202-0191**

for a permit to place fill material in wetlands and other waters of the United States adjacent and contiguous to the

**BEAUFORT RIVER**

at a location along two existing sections of SC Highway 802 / US Highway 21 in Beaufort County. The western segment (B) is located between Robert Smalls Parkway (SC 170) and Parris Island Gateway (SC 280). The eastern segment (A) is located between Ribaut Road (US 21) and Sea Island Parkway (US 21 Business) in the Town of Port Royal and unincorporated Ladys Island, SC (Latitude 32°22'59" N, Longitude 80°44'10" W).

In order to give all interested parties an opportunity to express their views

**N O T I C E**

is hereby given that written statements regarding the proposed work will be received by both of the above mentioned offices until

**12 O'CLOCK NOON, SUNDAY, MARCH 1, 2009**

from those interested in the activity and whose interests may be affected by the proposed work.

Per the applicant, the proposed work consists of road widening activities and an additional bridge over the Beaufort River, adjacent to the existing J.E. McTeer Bridge. The road widening and bridge addition proposed for Segment A (SC 802/US 21 from Ribaut Road to Sea Island Parkway) would create two (2) 12-foot-travel lanes in each direction along SC 802. The road widening proposed for Segment B would create two (2) 12-foot-travel lanes in each direction along SC 802 and would provide a center turn lane and/or medians between the eastbound and westbound travel lanes. A sidewalk would be constructed the full length of the project. On both segments, adjacent to the sidewalk, a four-foot paved shoulder would be provided for a bicycle path adjacent to a six-foot grassed shoulder. A two-foot wide curb and gutter drainage system

would be placed on both sides of SC 802, along portions of the project. A system of underground drainage and open ditches would move storm water to an outfall. Drop inlets would incorporate current drains from adjacent areas that outfall into existing roadside ditches. In Segment B, a 12-inch water main (located on south side of the road) would be located further south, adjacent to the proposed widening section, prior to the start of road work construction. Two-way traffic will remain open until the completion of the proposed bridge addition. Temporary work trestles would be constructed to the south of the proposed bridge and floating barges would be used in the main body of the river to maintain navigability. The proposed work would result in impacts to a total of 1.584 acres of jurisdictional waters of the United States, which would include 1.42 acres of permanent fill to estuarine substrates and 0.164 acre of permanent fill of freshwater wetlands. Additionally, 0.1 acre on non-jurisdictional, isolated wetlands would be impacts by the proposal. Mitigation for unavoidable impacts would be provided through the eastern portion of the SCDOT Huspa Creek Mitigation Bank for the estuarine loss (15.4 credits) and the Beaufort-Jasper Water and Sewer Authority/Beaufort County Mitigation Bank in the New River Great Swamp for the freshwater wetland loss (2.2 credits).

**NOTE: Plans depicting the work described in this notice are available and will be provided, upon receipt of a written request, to anyone that is interested in obtaining a copy of the plans for the specific project. The request must identify the project of interest by public notice number and a self-addressed stamped envelope must also be provided for mailing the drawings to you. Your request for drawings should be addressed to the**

**U.S. Army Corps of Engineers  
ATTN: REGULATORY DIVISION  
69A Hagood Avenue  
Charleston, South Carolina 29403-5107**

The District Engineer has concluded that the discharges associated with this project, both direct and indirect, should be reviewed by the South Carolina Department of Health and Environmental Control in accordance with provisions of Section 401 of the Clean Water Act. As such, this notice constitutes a request, on behalf of the applicant, for certification that this project will comply with applicable effluent limitations and water quality standards. The work shown on this application must also be certified as consistent with applicable provisions the Coastal Zone Management Program (15 CFR 930). The District Engineer will not process this application to a conclusion until such certifications are received. The applicant is hereby advised that supplemental information may be required by the State to facilitate the review.

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. Implementation of the proposed project would impact 1.42 acres of estuarine substrates and emergent wetlands utilized by various life stages of species comprising the red drum, shrimp, and snapper-grouper management complexes. Our initial determination is that the proposed action would not have a substantial individual or cumulative adverse impact on EFH or fisheries managed by the South Atlantic Fishery Management Council and the National Marine Fisheries Service (NMFS). Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

Pursuant to Section 7(c) of the Endangered Species Act of 1973 (as amended), the applicant has provided the results of a protected species survey for the area associated with the activity described above. In addition, the District Engineer has consulted the most recently available information and has made no determination of effect on any Federally endangered,

16 January 2009

threatened, or proposed species. This public notice serves as a request to the U.S. Fish and Wildlife Service and the National Marine Fisheries Service for any additional information they may have on whether any listed or proposed endangered or threatened species and/or designated or proposed critical habitat may be present in the area which would be affected by the activity, pursuant to Section 7(c) of the Endangered Species Act of 1973 (as amended).

Pursuant to Section 106 of the National Historic Preservation Act (NHPA), this public notice also constitutes a request to Indian Tribes to notify the District Engineer of any historic properties of religious and cultural significance to them that may be affected by the proposed undertaking.

In accordance with the NHPA, the District Engineer has consulted the latest published version of the national Register of Historic Places for the presence or absence of registered properties, or properties listed as being eligible for inclusion therein, and this worksite is not included as a registered property or property listed as being eligible for inclusion in the Register. Consultation of the National Register constitutes the extent of cultural resource investigations by the District Engineer, however, the SHPO has determined that this project will have an adverse effect on upon historic properties. Presently unknown archaeological, scientific, prehistorical, or historical data may be lost or destroyed by the work to be accomplished under the requested permit.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest and will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency (EPA), under authority of Section 404(b) of the Clean Water Act and, as appropriate, the criteria established under authority of Section 102 of the Marine Protection, Research and Sanctuaries Act of 1972, as amended. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the project must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the project will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production and, in general, the needs and welfare of the people. A permit will be granted unless the District Engineer determines that it would be contrary to the public interest. In cases of conflicting property rights, the Corps of Engineers cannot undertake to adjudicate rival claims.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this project. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

REGULATORY DIVISION  
Refer to: P/N #2008-02169-DIM

16 January 2009

If there are any questions concerning this public notice, please contact Michael Patrick at 843-329-8026 or toll free at 1-866-329-8187.

OCRM PROJECT MANAGER

GEORGE J. MADLINGER  
(B45) 846-9400

# VICINITY MAP



PIN 36942  
Latitude/Longitude: 32° 23' 47"/80° 39'

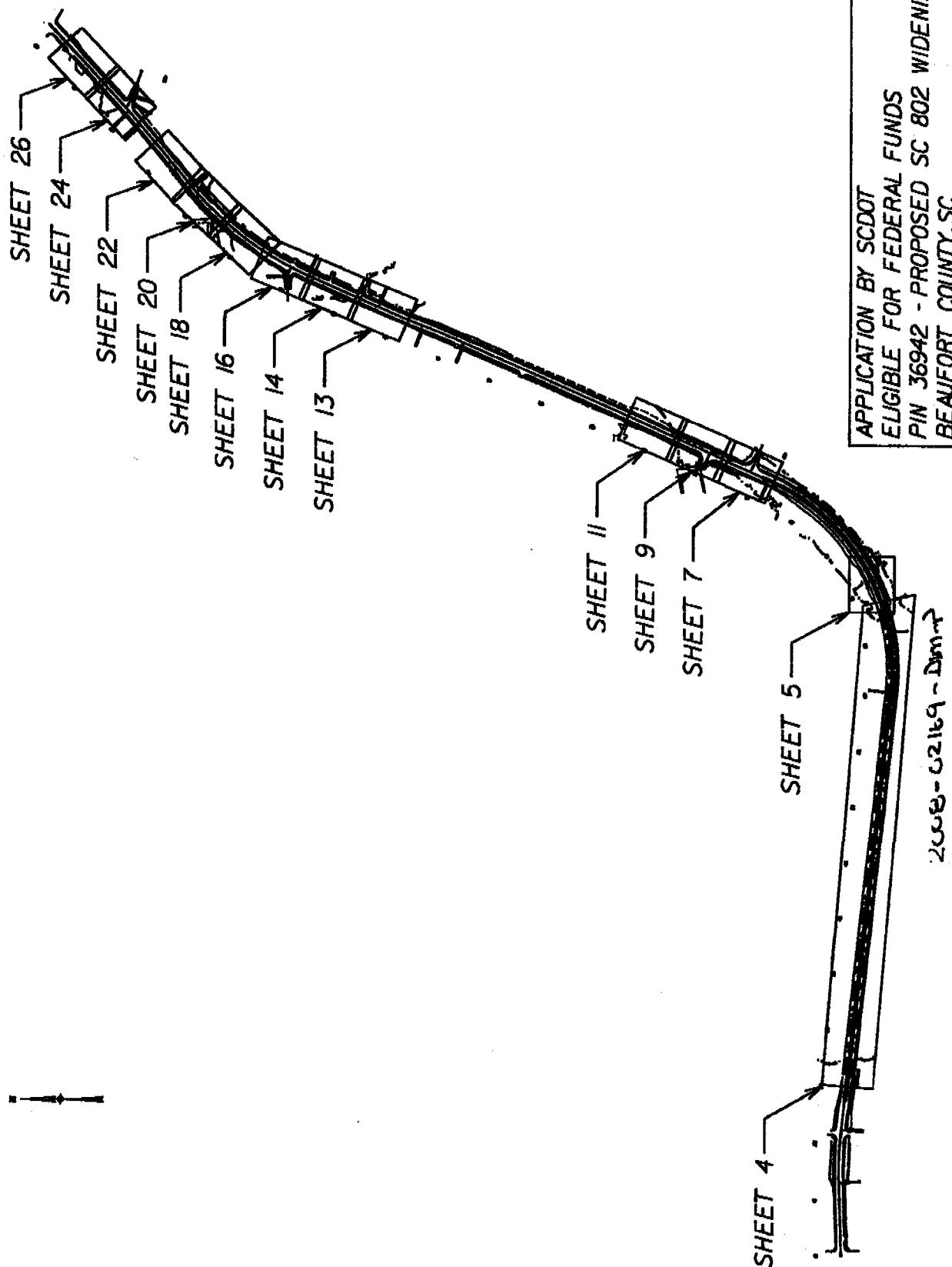
PINS 36942, 36944  
PROPOSED SC 802 WIDENING  
BEAUFORT COUNTY, SC  
APPLICATION BY SCDOT  
ELIGIBLE FOR FEDERAL FUNDS  
DATE: SEPT 2008  
SHEET: 1 OF 20

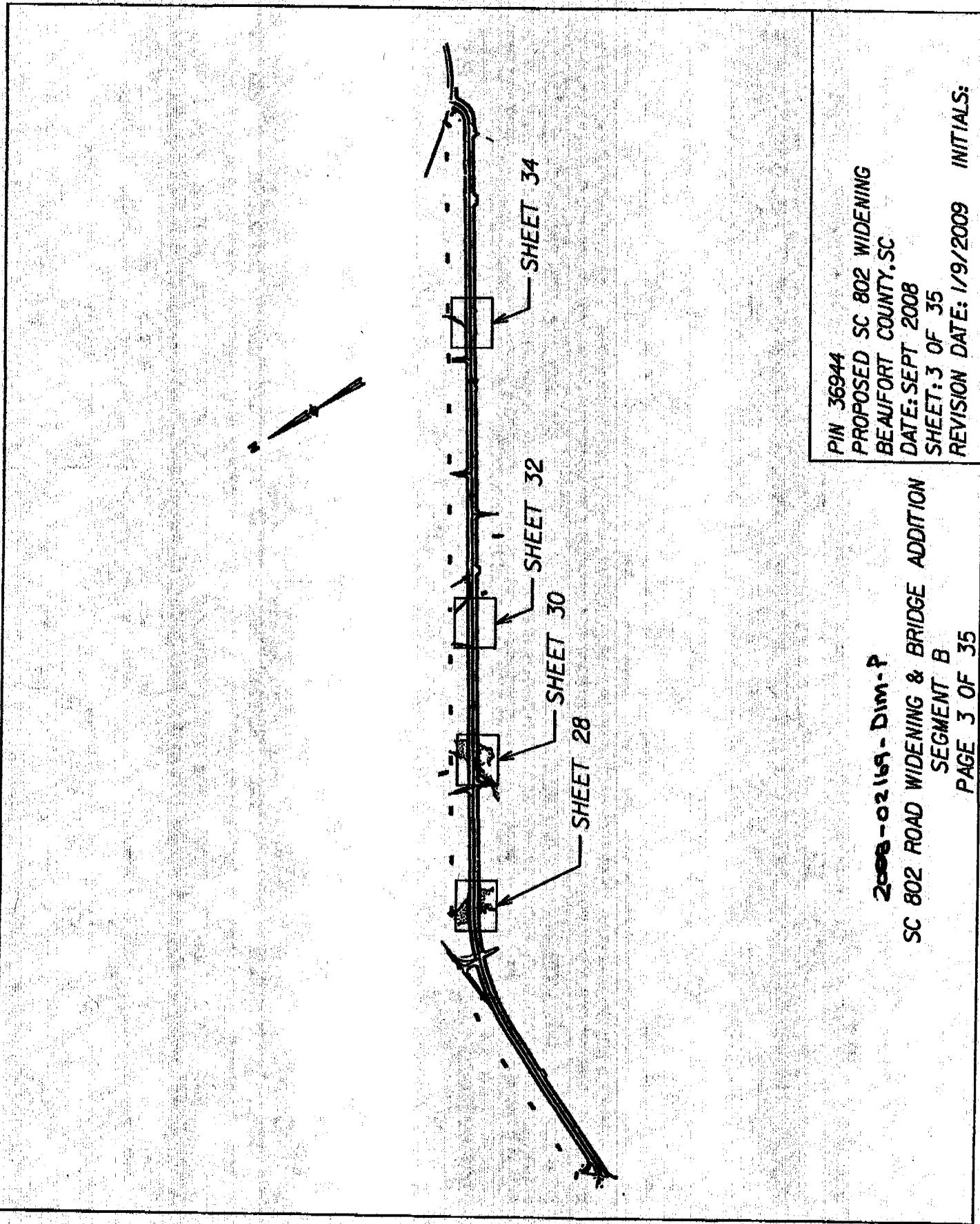
PIN 36944  
Latitude/Longitude: 32° 23' 26"/80° 45' 1"  
2008 - O 216.5' - DIM

Source: South Carolina Department of Transportation  
General Highway Map, Beaufort County, SC. 1978.

PROJECT LOCATION

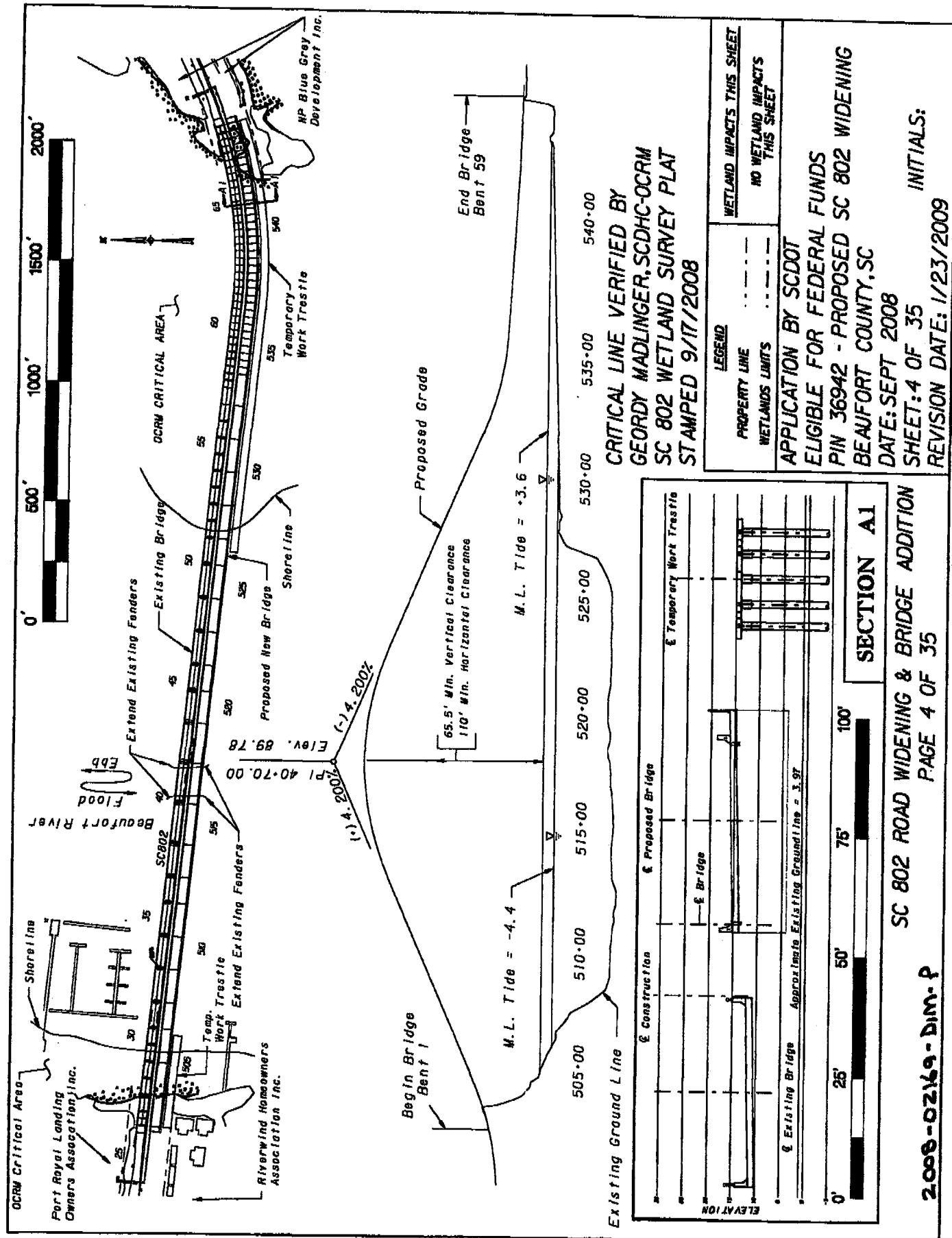
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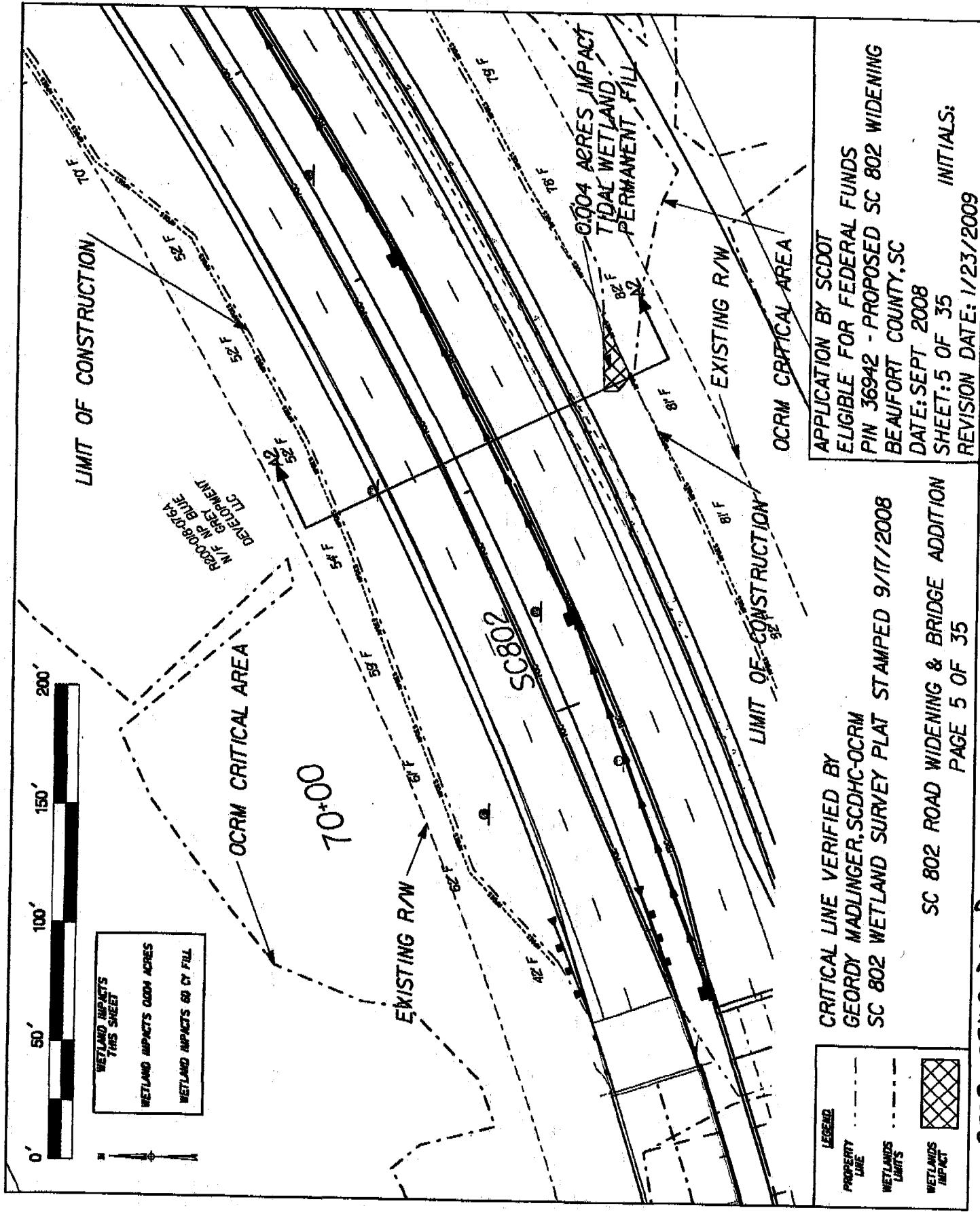




PIN 36944  
PROPOSED SC 802 WIDENING  
BEAUFORT COUNTY, SC  
DATE: SEPT 2008  
SHEET: 3 OF 35  
REVISION DATE: 1/9/2009 INITIALS:

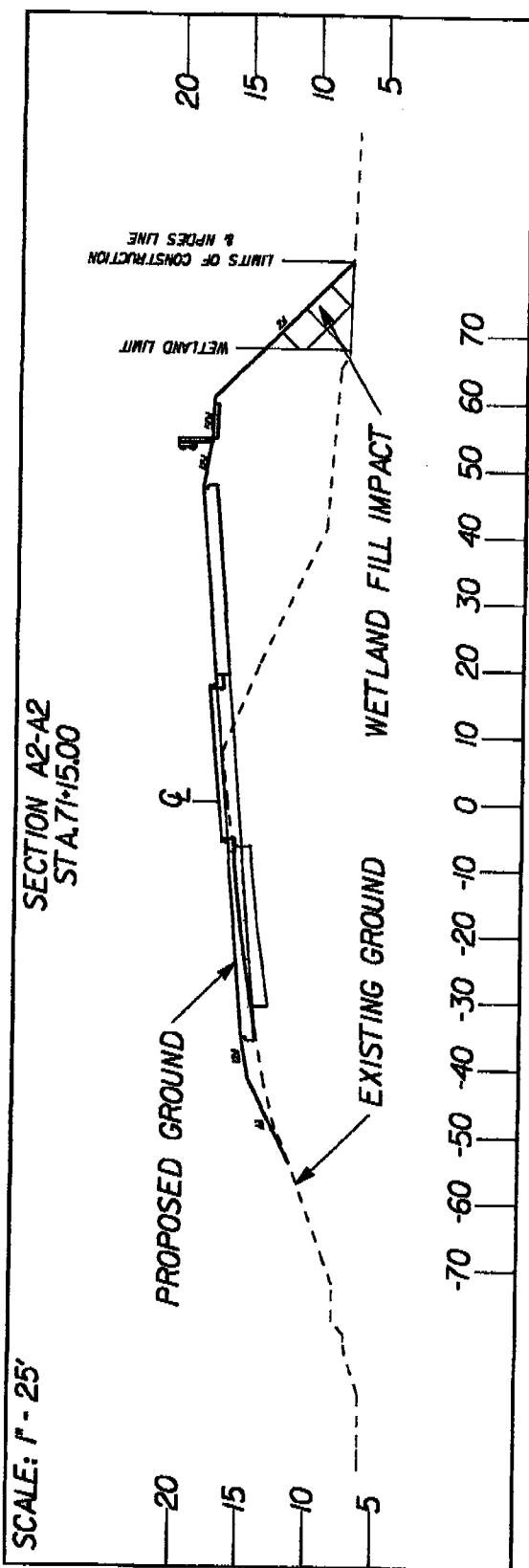
2008-02169-Dim-P  
SC 802 ROAD WIDENING & BRIDGE ADDITION  
SEGMENT B  
PAGE 3 OF 35





2008-02169-Dim-P

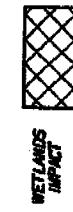
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NOTE:  
ELEVATIONS ARE BASED UPON NGVD '29

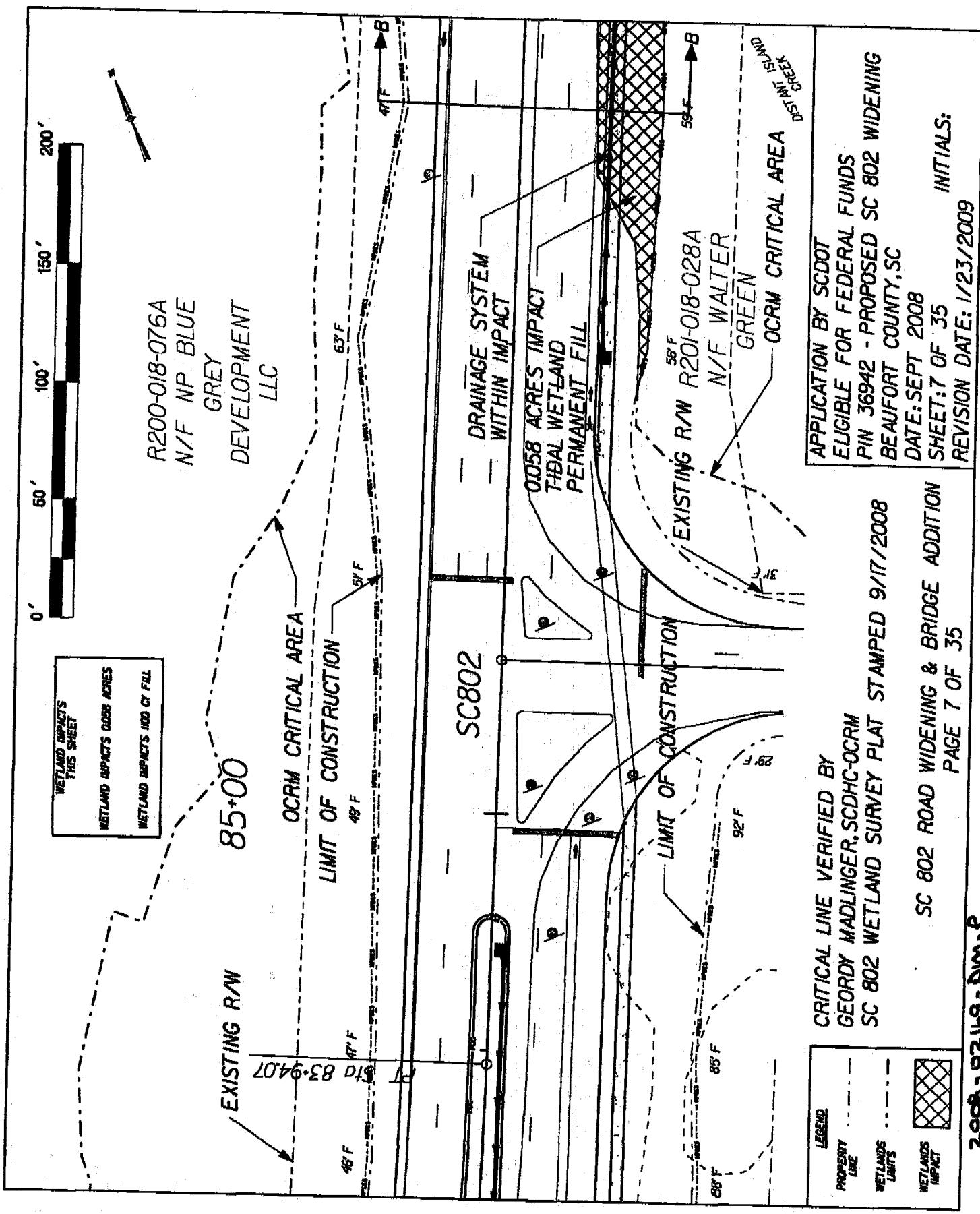
APPLICATION BY SCDOT
ELIGIBLE FOR FEDERAL FUNDS
PIN 36942 - PROPOSED SC 802 WIDENING
BEAUFORT COUNTY, SC
DATE: SEPT 2008
SHEET: 6 OF 35
INITIALS:
REVISION DATE: 1/23/2009

CRITICAL LINE VERIFIED BY  
GEORDY MADLINGER, SCDHC-OCRM  
SC 802 WETLAND SURVEY PLAT STAMPED 9/17/2008



SC 802 ROAD WIDENING & BRIDGE ADDITION  
PAGE 6 OF 35

2008-02169-BIM-P



LEADER  
PRESIDENT  
TELLER

2008-02169-Dm-P

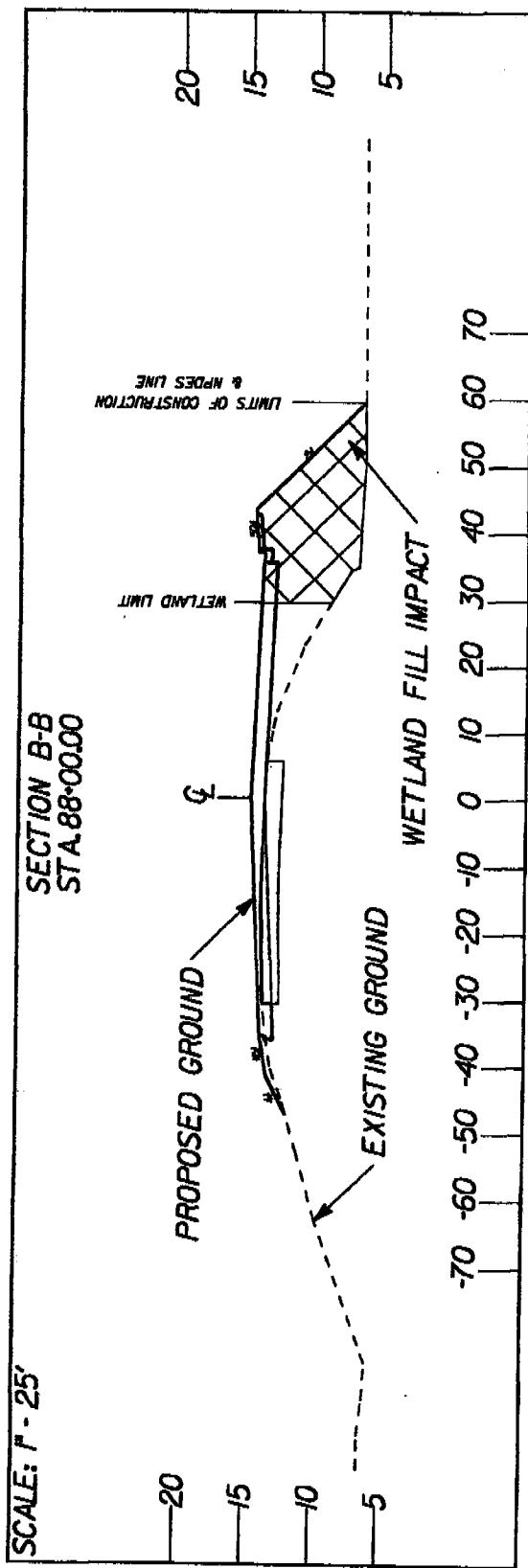
**CRITICAL LINE VERIFIED BY  
GEORDY MADLINGER, SCDHC-OCRM  
SC 802 WETLAND SURVEY PLAT**

SC 802 ROAD WIDENING & BRIDGE ADDITION  
PAGE 7 OF 35

APPLICATION BY SCDOT  
ELIGIBLE FOR FEDERAL FUNDS  
PIN 36942 - PROPOSED SC 802 WIDENING  
BEAUFORT COUNTY, SC

NETFLIX MEMBERS OWN THE SERIES

SCALE: 1"-25'  
0' 25' 50' 75' 100'

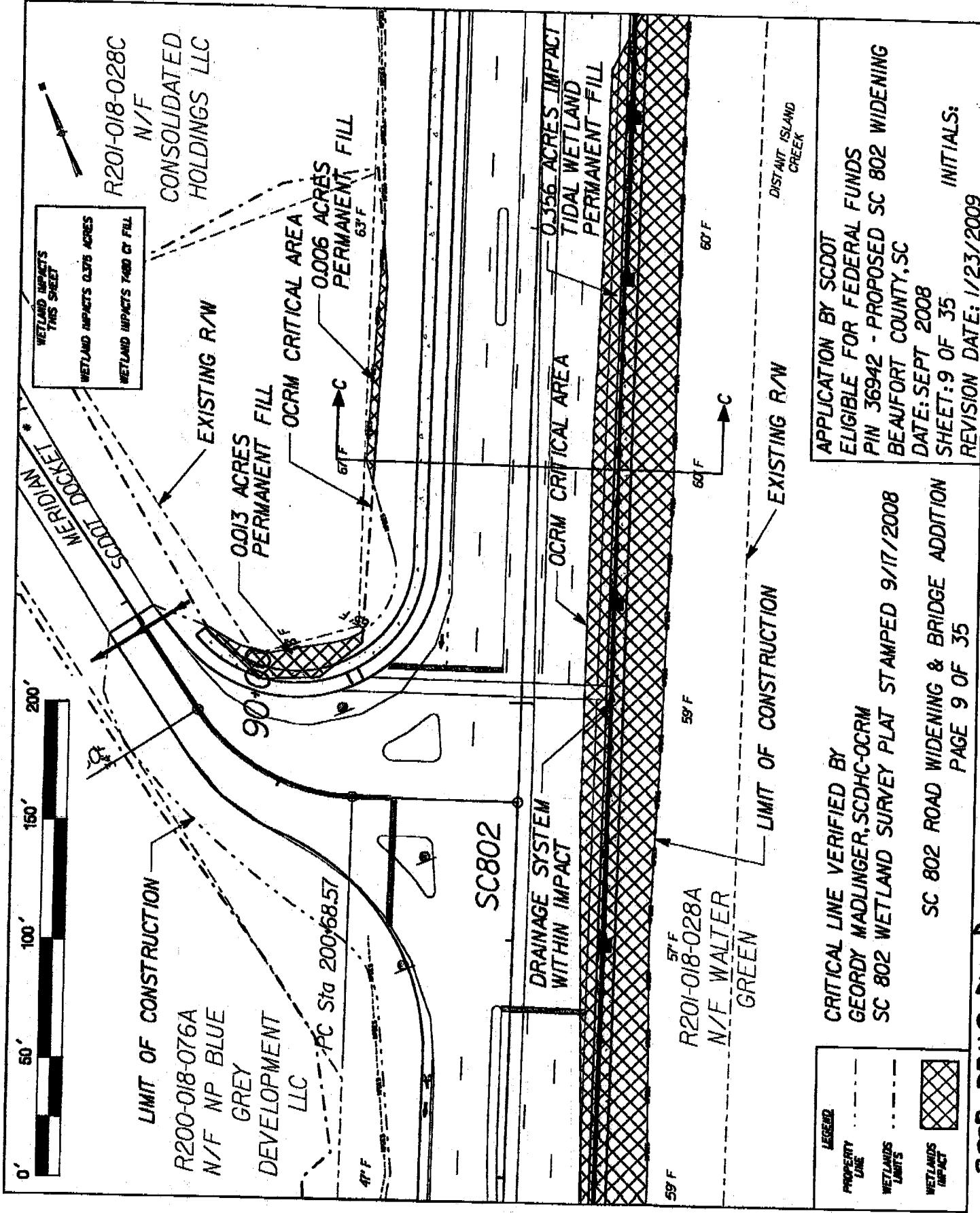


NOTE:  
ELEVATIONS ARE BASED UPON NGVD '29

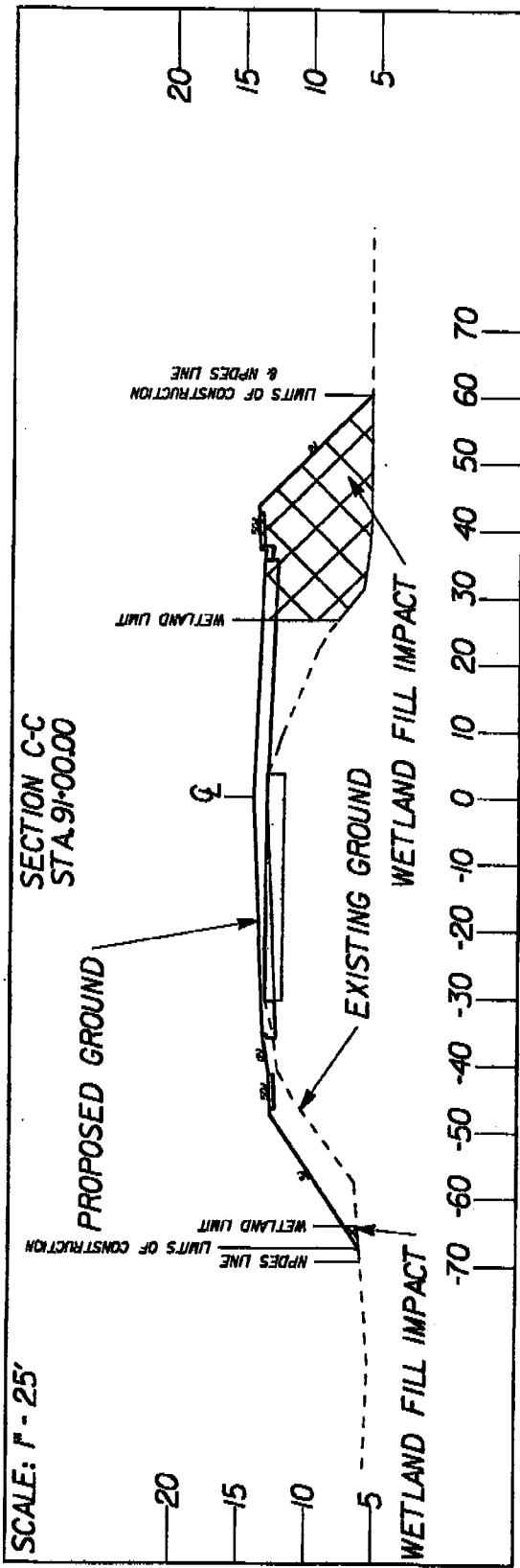
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ELIGIBLE FOR FEDERAL FUNDS  
PIN 36942 - PROPOSED SC 802 WIDENING  
BEAUFORT COUNTY, SC  
DATE: SEPT 2008  
SHEET: 8 OF 35  
INITIALS:  
REVISION DATE: 1/23/2009

LEGEND
PROPERTY LINE
WETLANDS
WETLANDS IMPACT

2008-02169-DIM-P



0' 25' 50' 75' 100'



**NOTE:** ELEVATIONS ARE BASED UPON NGVD '29

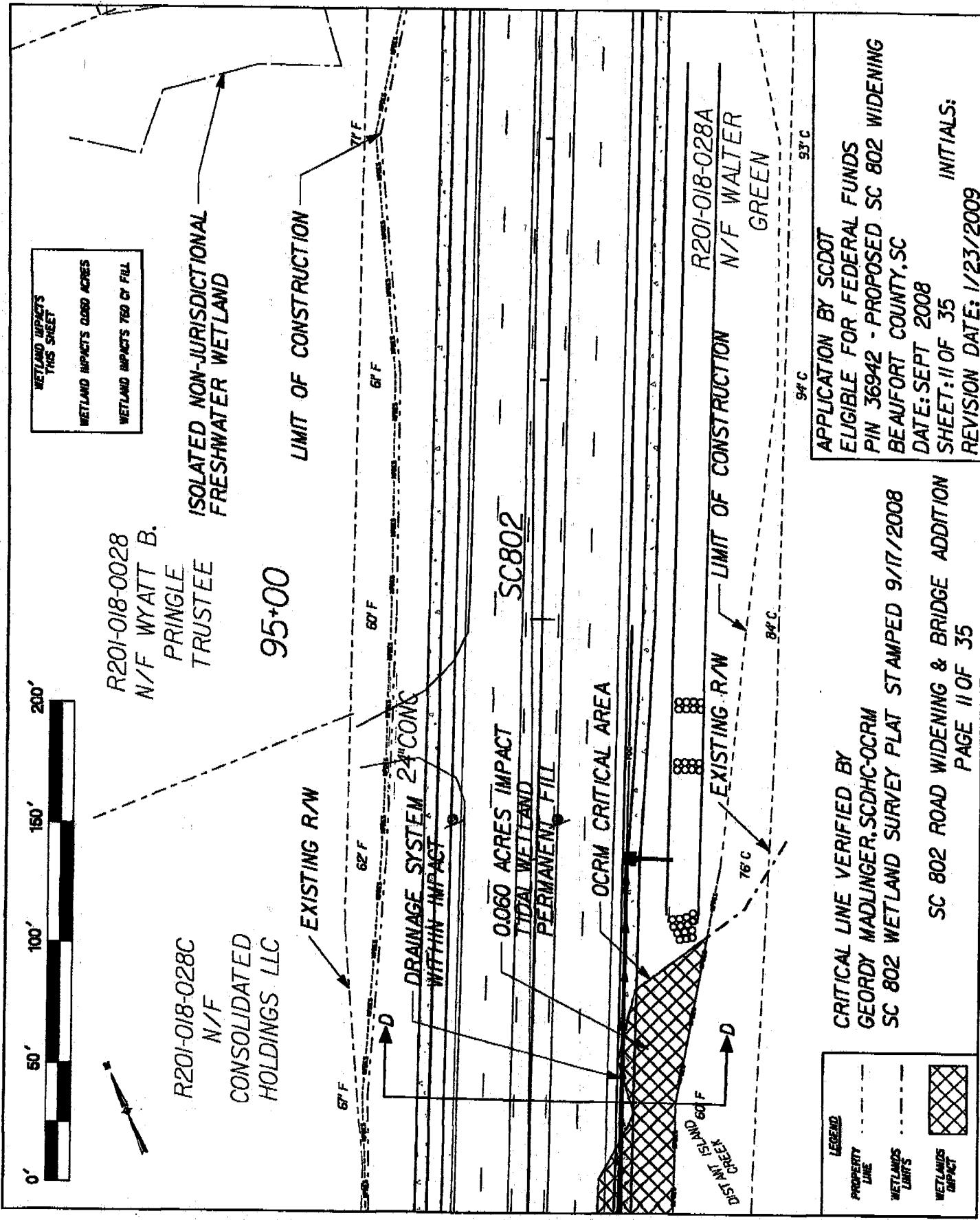
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ELIGIBLE FOR FEDERAL FUNDS  
PIN 36942 - PROPOSED SC 802 WIDENING  
BEAUFORT COUNTY, SC  
DATE: SEPT 2008  
SHEET: 10 OF 35  
INITIALS:  
REVISION DATE: 1/23/2009

CRITICAL LINE VERIFIED BY  
GEORDY MADLINGER, SCDHC-OCF  
SC 802 WETLAND SURVEY PL

**NETLANDS**  
**SUM**



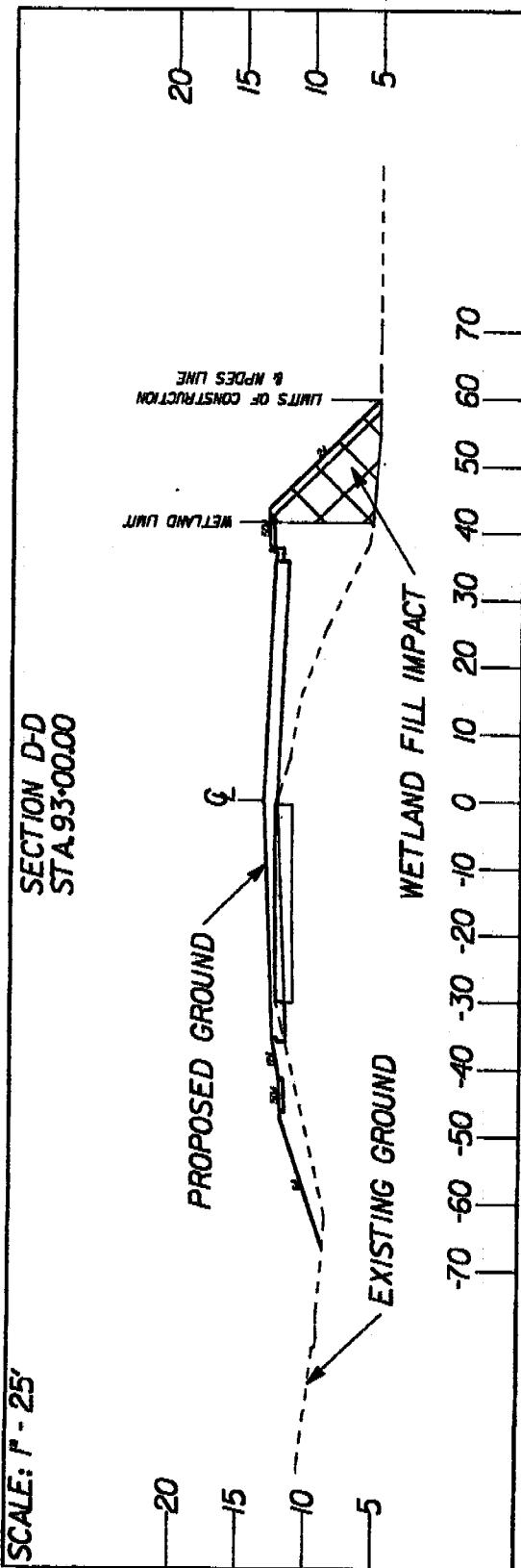
2008.02.09 - Dim- $\beta$



SCALE: 1" - 25'

SECTION D-D

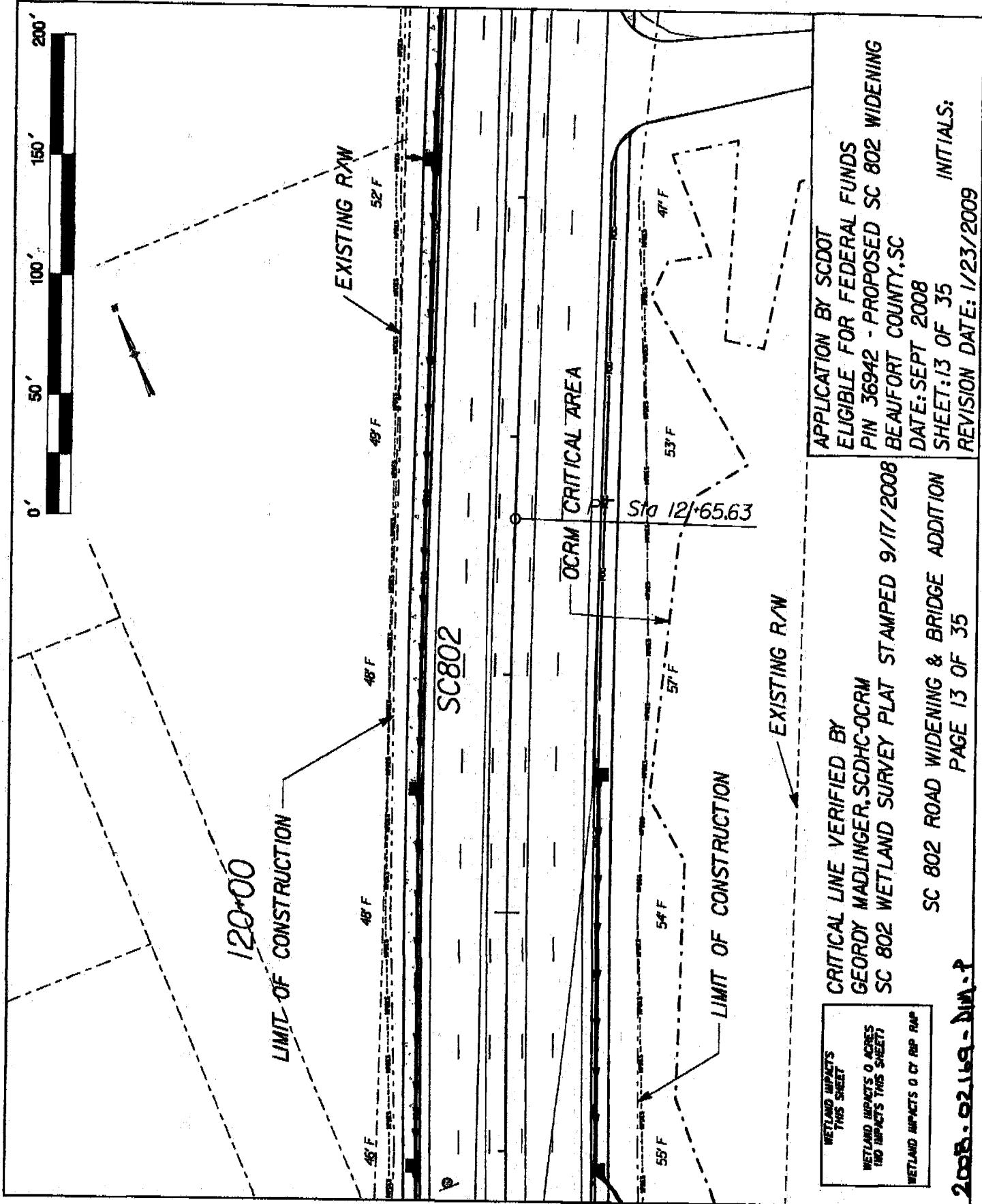
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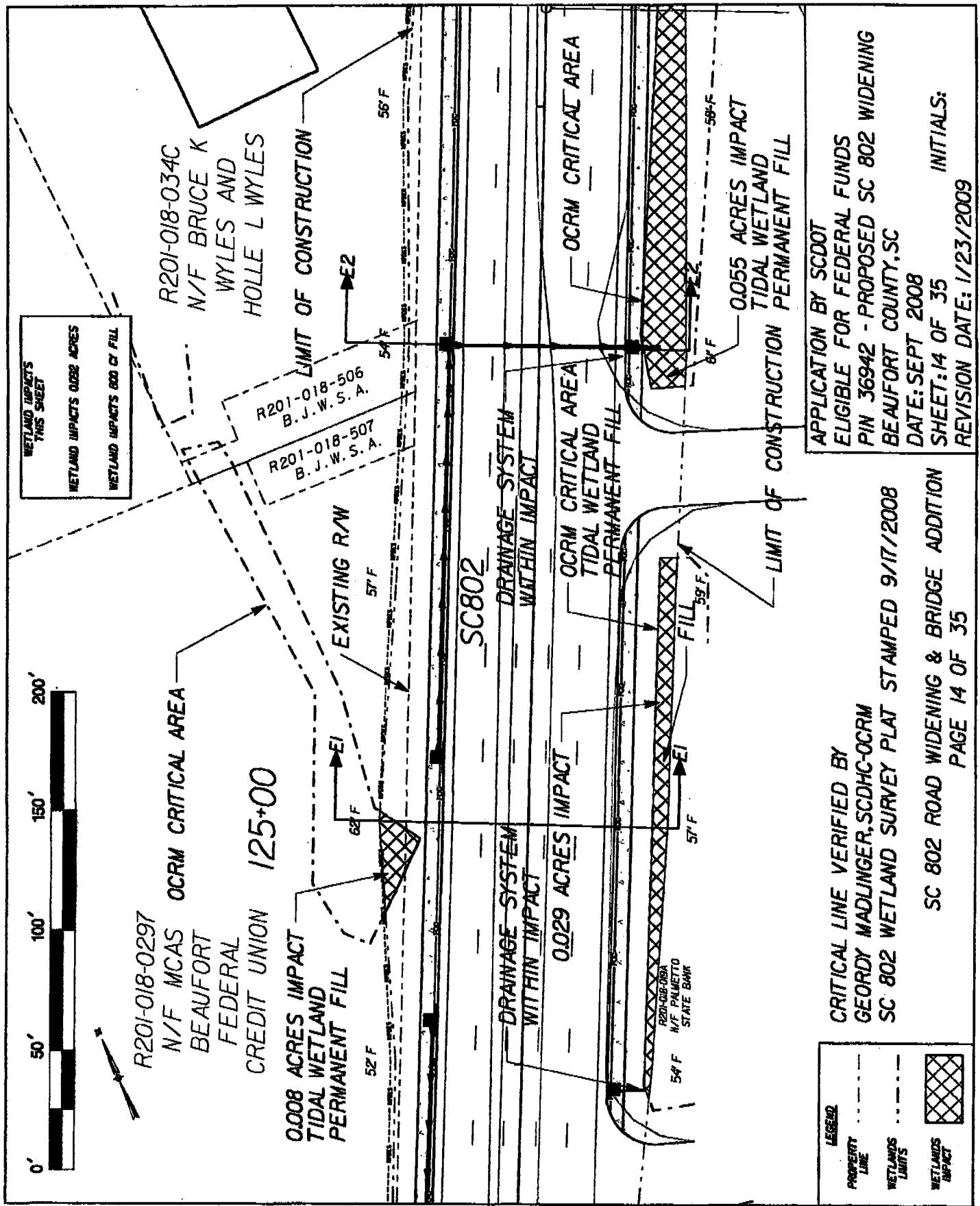


NOTE:  
ELEVATIONS ARE BASED UPON NGVD '29  
APPLICATION BY SC DOT  
ELIGIBLE FOR FEDERAL FUNDS  
PIN 36942 - PROPOSED SC 802 WIDENING  
BEAUFORT COUNTY, SC  
DATE: SEPT 2008  
SHEET: 12 OF 35 INITIALS:  
REVISION DATE: 1/23/2009

LEGEND
PROPERTY LINE
WETLANDS
WETLANDS IMPACT

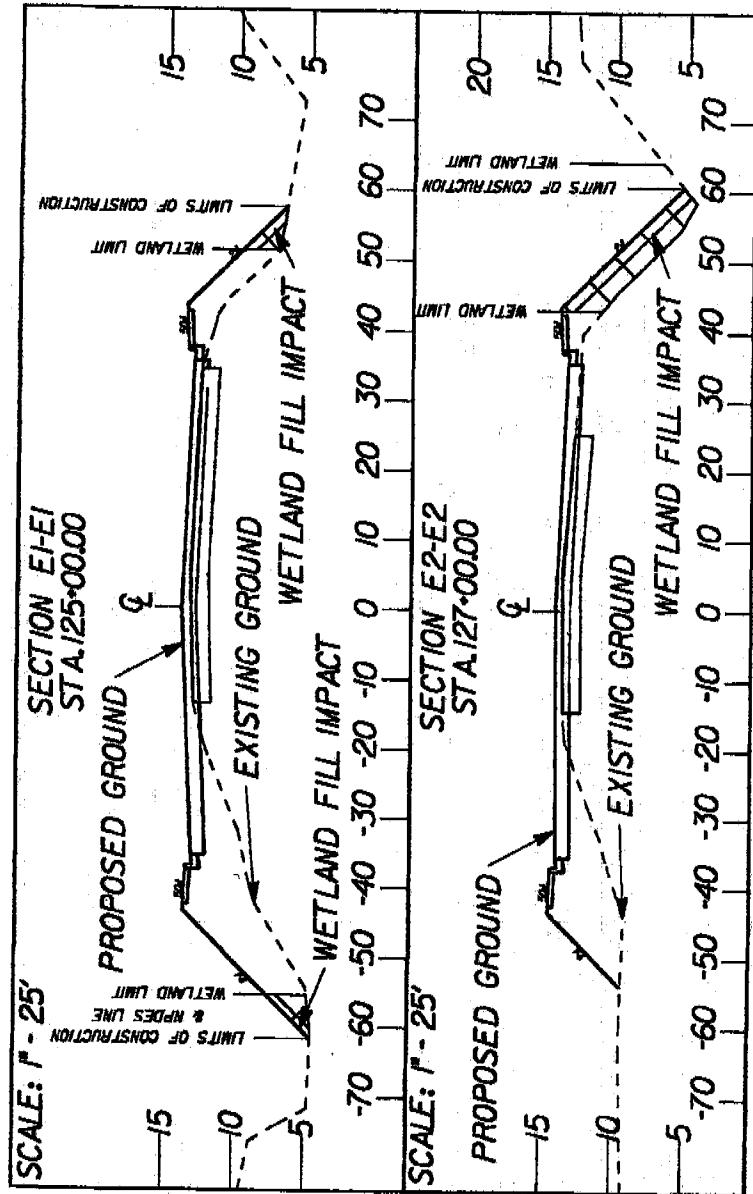
SC 802 ROAD WIDENING & BRIDGE ADDITION  
PAGE 12 OF 35





2008-02169-DIM-P

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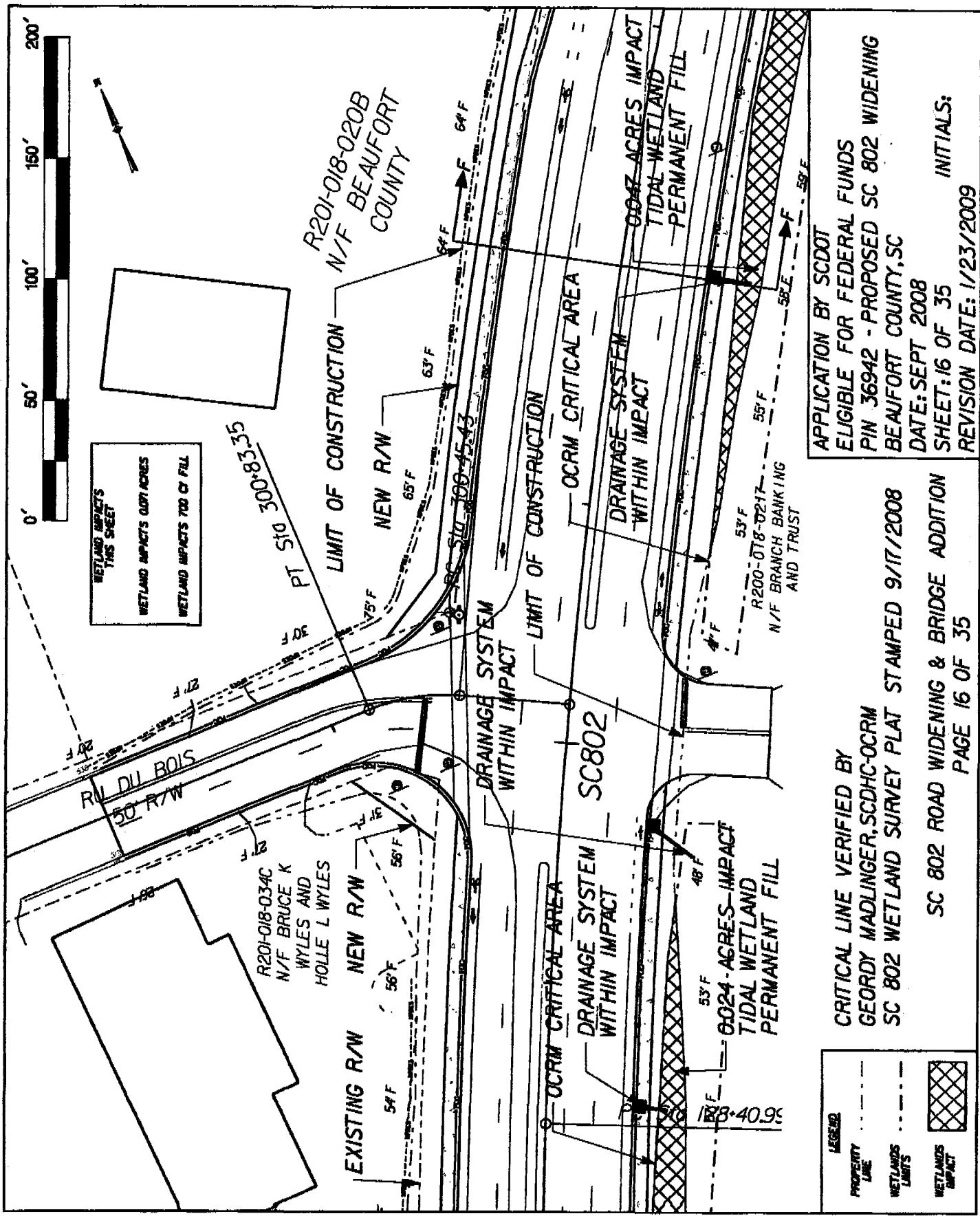
**NOTE:** ELEVATIONS ARE BASED UPON NGVD '29

**APPLICATION BY SCDOT  
ELIGIBLE FOR FEDERAL FUNDS  
PIN 36942 - PROPOSED SC 802 WIDENING  
BEAUFORT COUNTY, SC  
DATE: SEPT 2008  
SHEET: 15 OF 35  
REVISION DATE: 1/23/2009  
INITIALS:**

**CRITICAL LINE VERIFIED BY  
GEORDY MADLINGER, SCDHC-OCRM  
SC 802 WETLAND SURVEY PLAT**

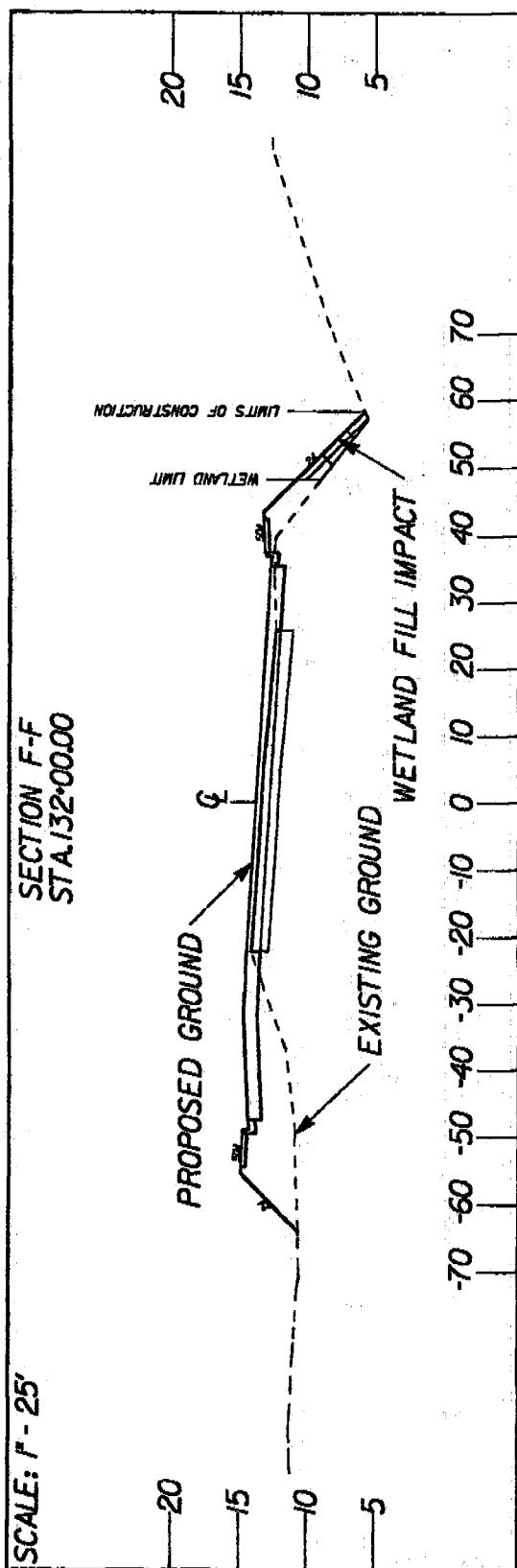
SC 802 ROAD WIDENING PAGE 15

$$2000g \cdot 0.216g = 432g$$



2008-02169-DIM-F

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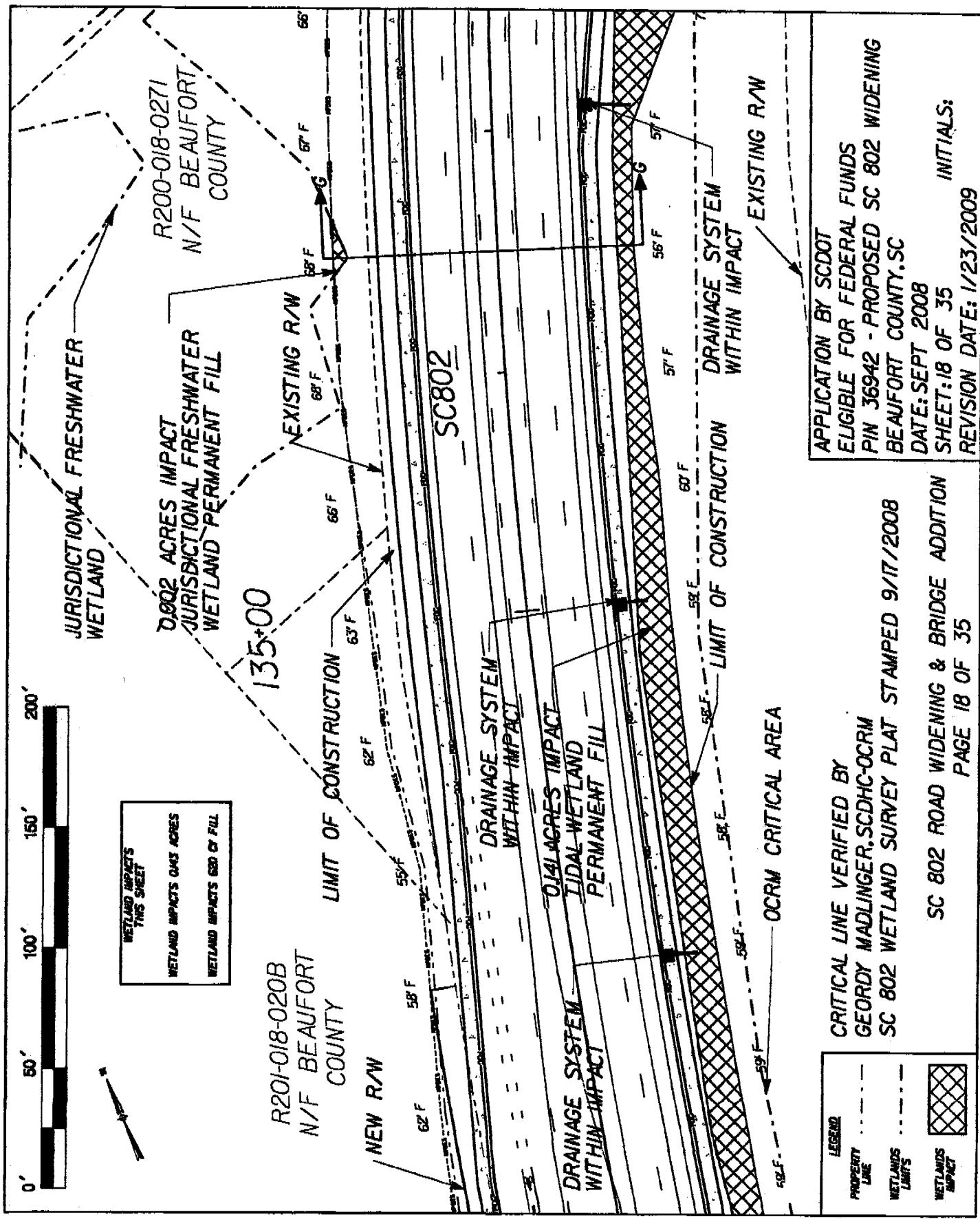


NOTE:  
ELEVATIONS ARE BASED UPON NGVD '29  
APPLICATION BY SCDOT  
ELIGIBLE FOR FEDERAL FUNDS  
PIN 36942 - PROPOSED SC 802 WIDENING  
BEAUFORT COUNTY, SC  
DATE: SEPT 2008  
SHEET: 17 OF 35 INITIALS:  
REVISION DATE: 1/23/2009

CRITICAL LINE VERIFIED BY  
GEORDY MADJINGER, SCDOT-OCRM  
SC 802 WETLAND SURVEY PLAT STAMPED 9/17/2008

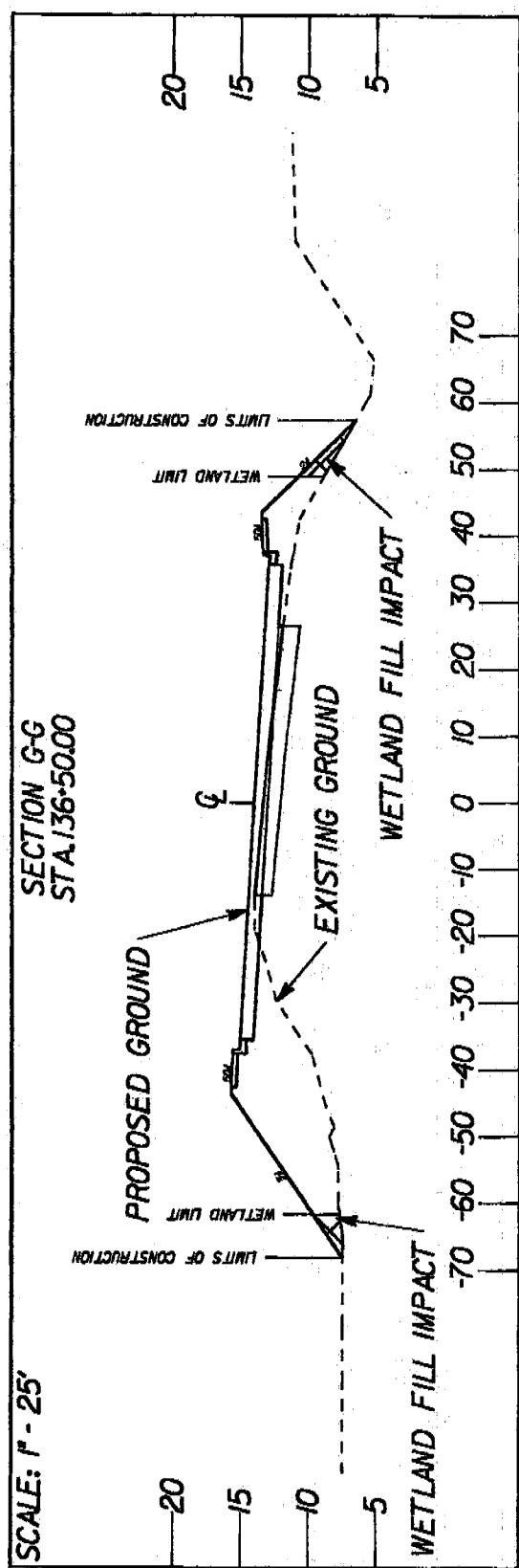


2008-02169-Dim-P



$$2008 - 0^2 \sqrt{6} q = 0 \text{ in } \mathbb{F}_p$$

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**SCALE: 1" - 25'**

SECTION G-G  
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**NOTE:** ELEVATIONS ARE BASED UPON NGVD '29

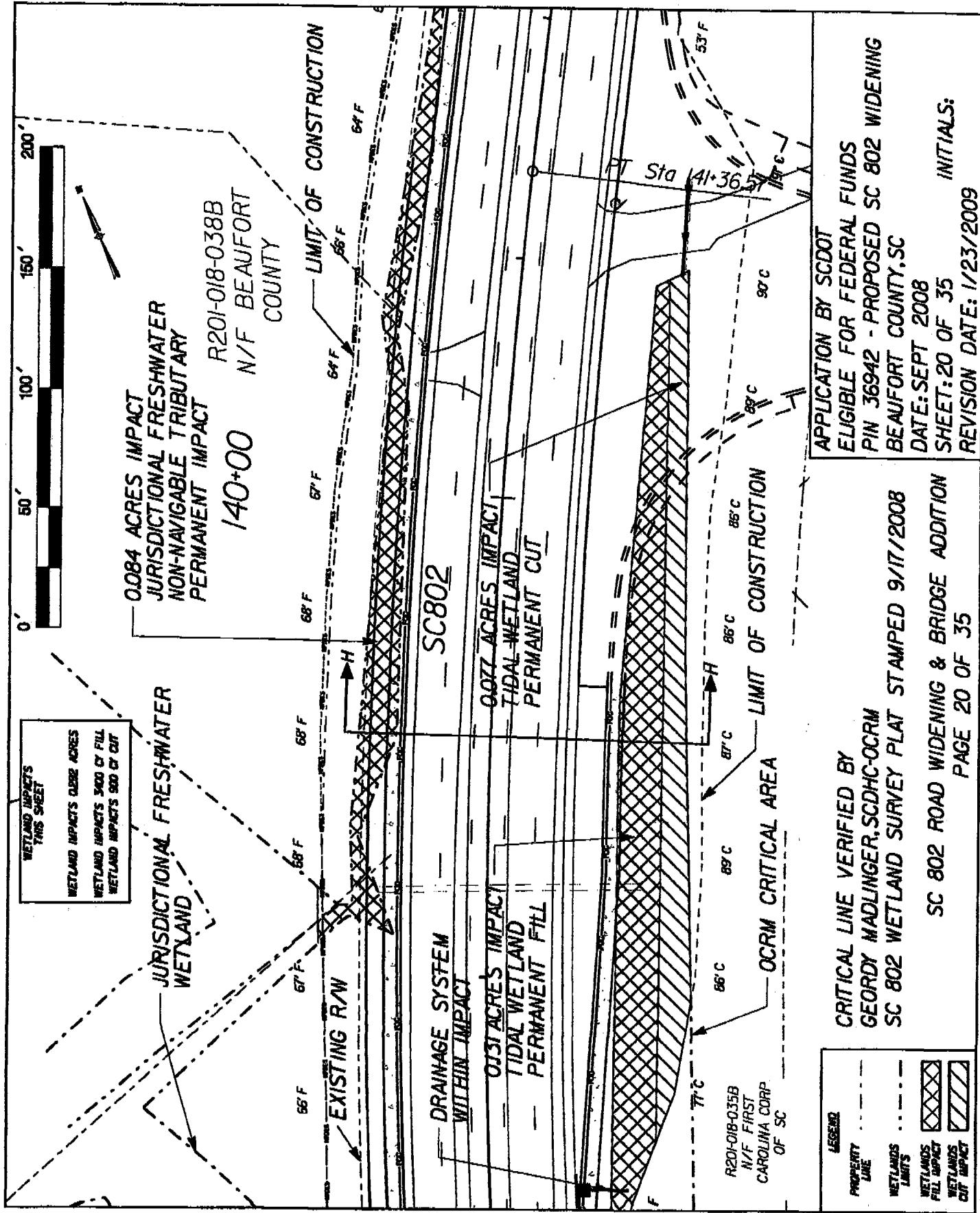
APPLICATION BY SCDOT  
ELIGIBLE FOR FEDERAL FUNDS  
PIN 36942 - PROPOSED SC 802 WIDENING  
BEAUFORT COUNTY, SC  
DATE: SEPT 2008  
SHEET: 19 OF 35  
INITIALS:  
REVISION DATE: 1/23/2009

**CRITICAL LINE VERIFIED BY  
GEORDY MADLINGER, SCDHIC-OCRM  
SC 802 WETLAND SURVEY PLAT**

**SC 802 ROAD WIDENING & BRIDGE ADDITION**

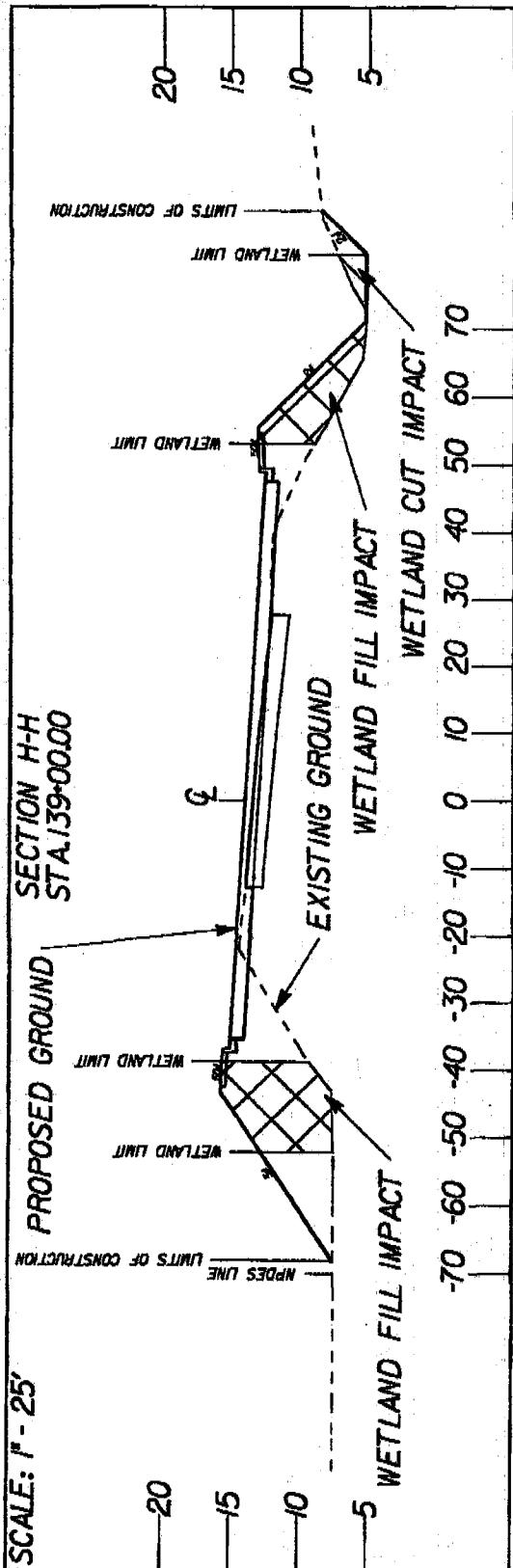
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2008-02169 - Dim. P



2008-02159-Dim-8

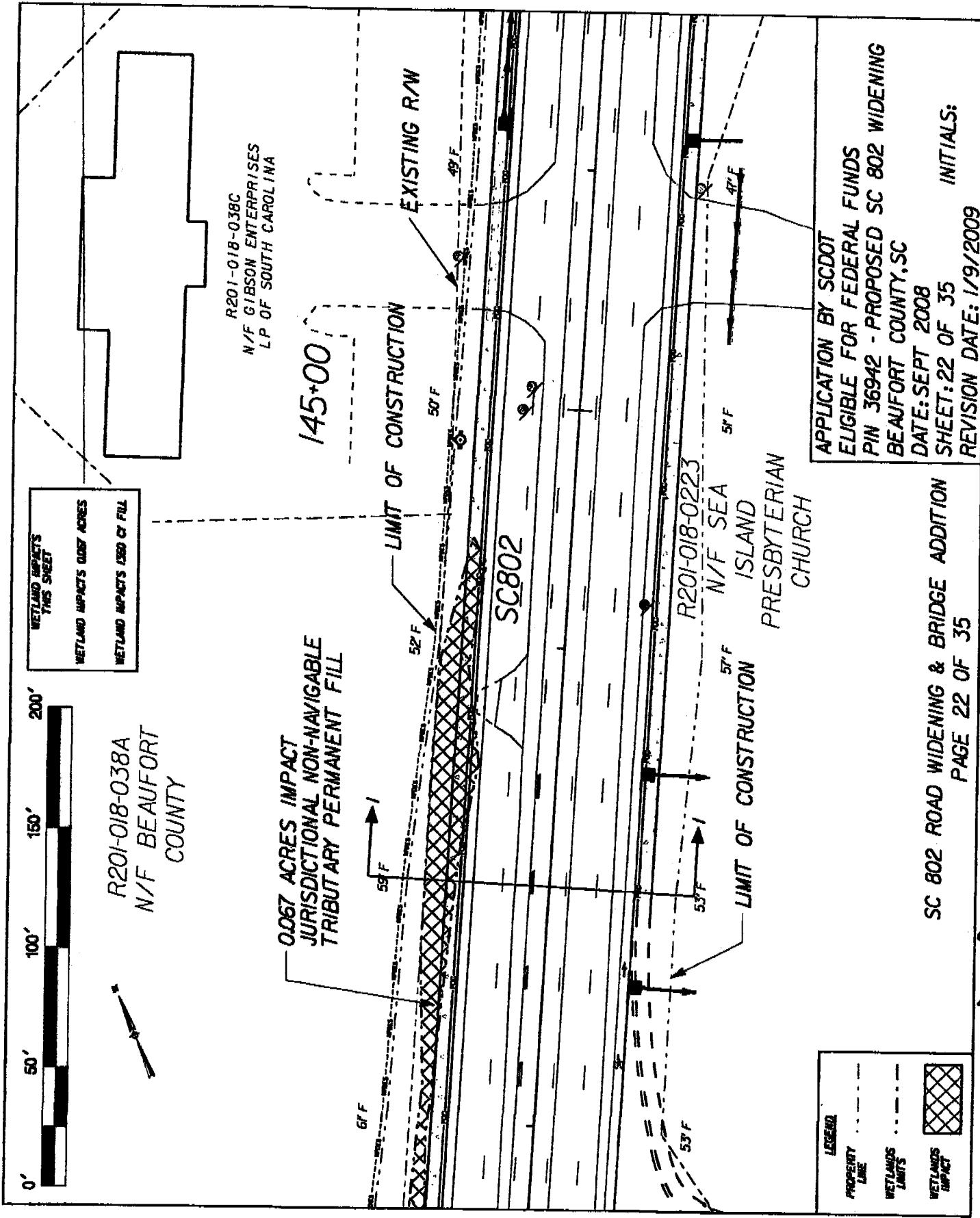
SCALE: 1" - 25' PROPOSED GROUND SECTION H-H STA. 39-00.00



APPLICATION BY SCDOT  
ELIGIBLE FOR FEDERAL FUNDS  
PIN 36942 - PROPOSED SC 802 WIDENING  
BEAUFORT COUNTY, SC  
DATE: SEPT 2008  
SHEET: 21 OF 35 INITIALS:  
REVISION DATE: 1/23/2009

CRITICAL LINE VERIFIED BY  
GEORGY MADLINGER, SCDHC-OCRM  
SC 802 WETLAND SURVEY PLAT STAMPED 9/17/2008  
SC 802 ROAD WIDENING & BRIDGE ADDITION  
PAGE 21 OF 35

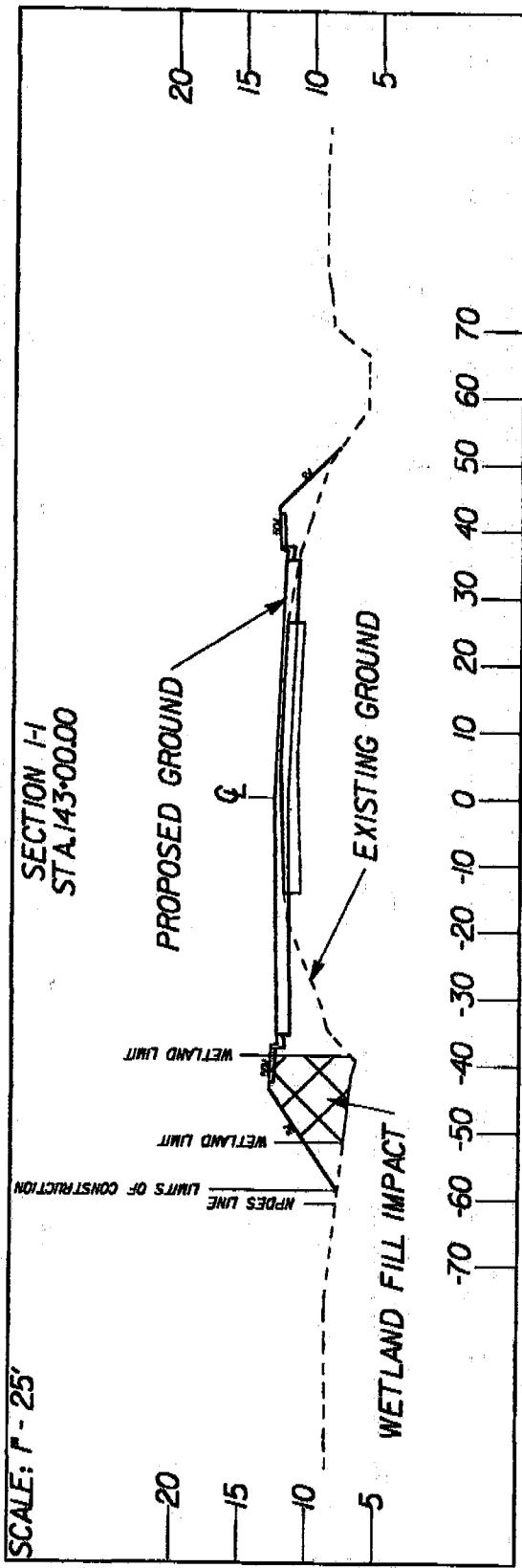
LEGEND
PROPERTY LINE
WETLANDS
WETLANDS FILL IMPACT
WETLANDS CUT IMPACT



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SECTION I-I  
STA 143-00.00

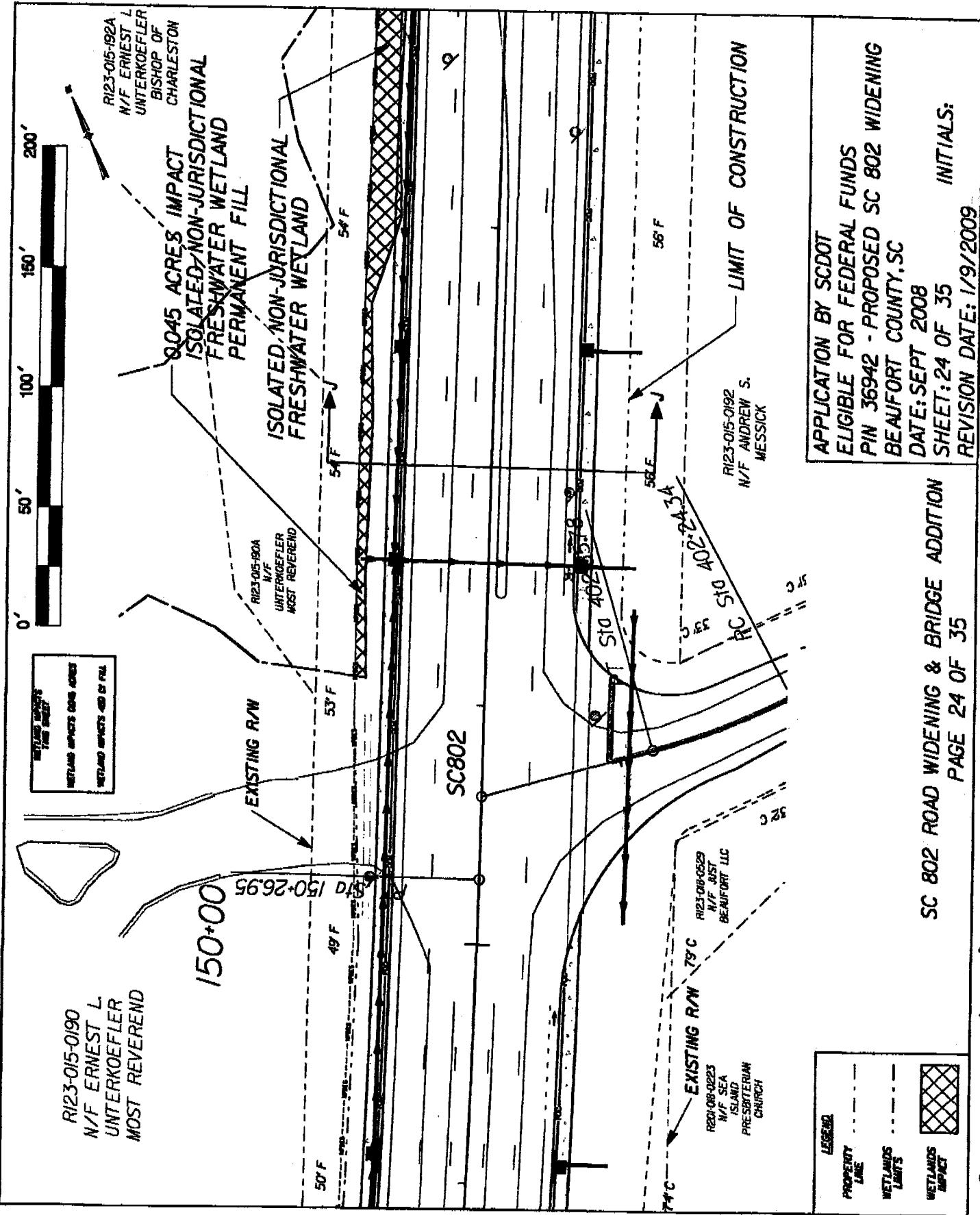


NOTE:  
ELEVATIONS ARE BASED UPON NGVD '29  
APPLICATION BY SCDOT  
ELIGIBLE FOR FEDERAL FUNDS  
PIN 36942 - PROPOSED SC 802 WIDENING  
BEAUFORT COUNTY, SC  
DATE: SEPT 2008  
SHEET: 23 OF 35  
INITIALS:  
REVISION DATE: 1/9/2009

LEGEND
PROPERTY LINE
WETLANDS
WETLANDS IMPACT

SC 802 ROAD WIDENING & BRIDGE ADDITION  
PAGE 23 OF 35

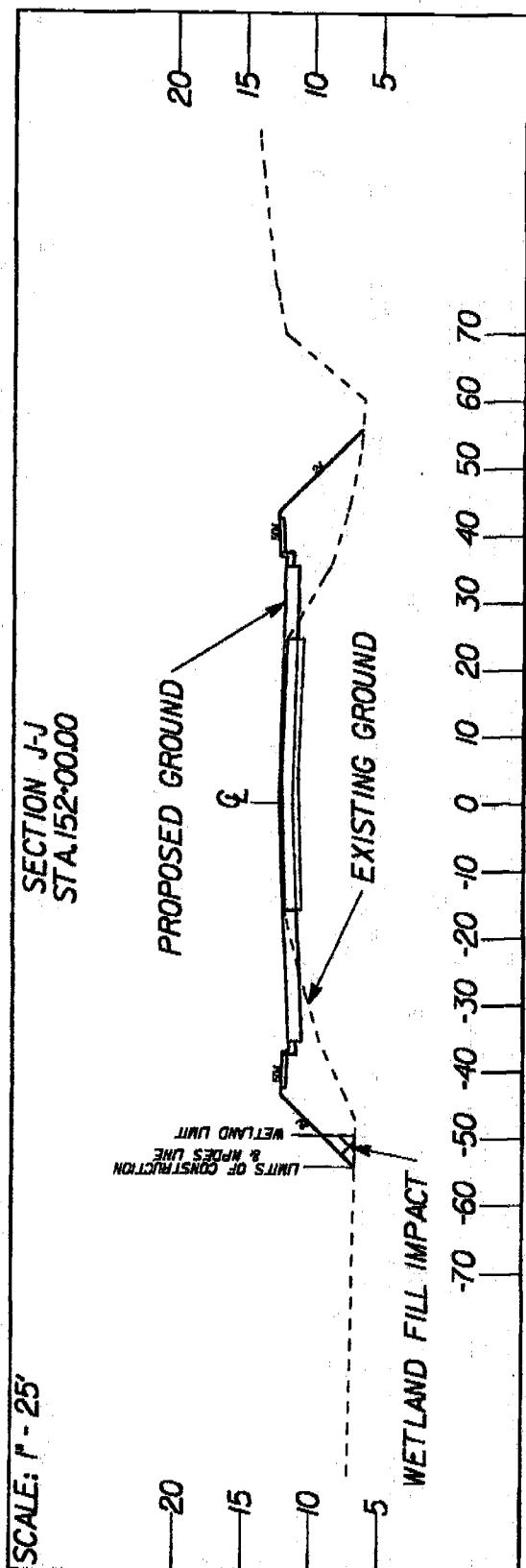
2008-02169-DIM-A



2008-02169-DIM-A

SC 802 ROAD WIDENING & BRIDGE ADDITION  
PAGE 24 OF 35

SCALE: 1"-25'  
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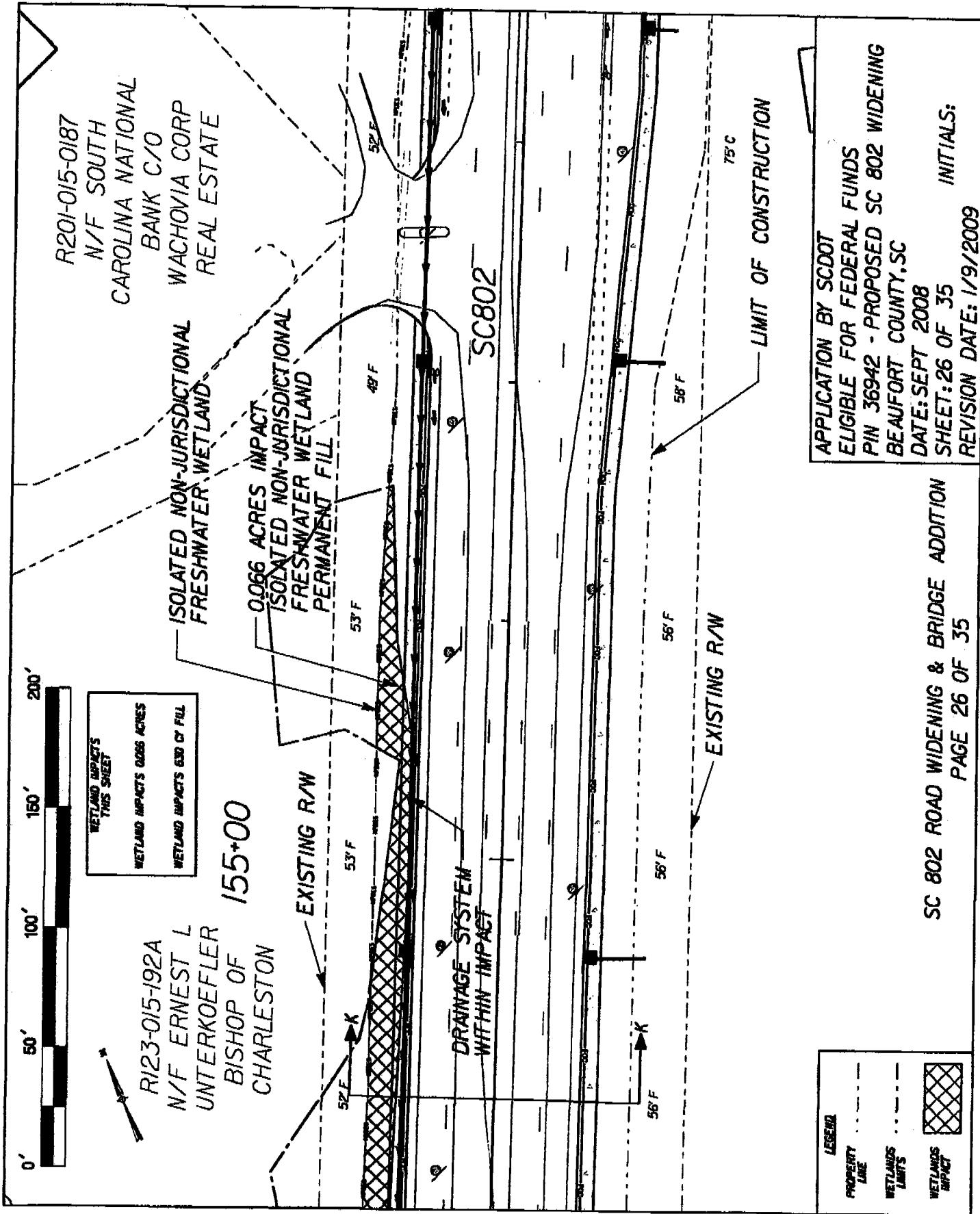
NOTE:  
ELEVATIONS ARE BASED UPON NGVD '29

APPLICATION BY SCDOT  
ELIGIBLE FOR FEDERAL FUNDS  
PIN 36942 - PROPOSED SC 802 WIDENING  
BEAUFORT COUNTY, SC  
DATE: SEPT 2008  
SHEET: 25 OF 35 INITIALS:  
REVISION DATE: 1/9/2009

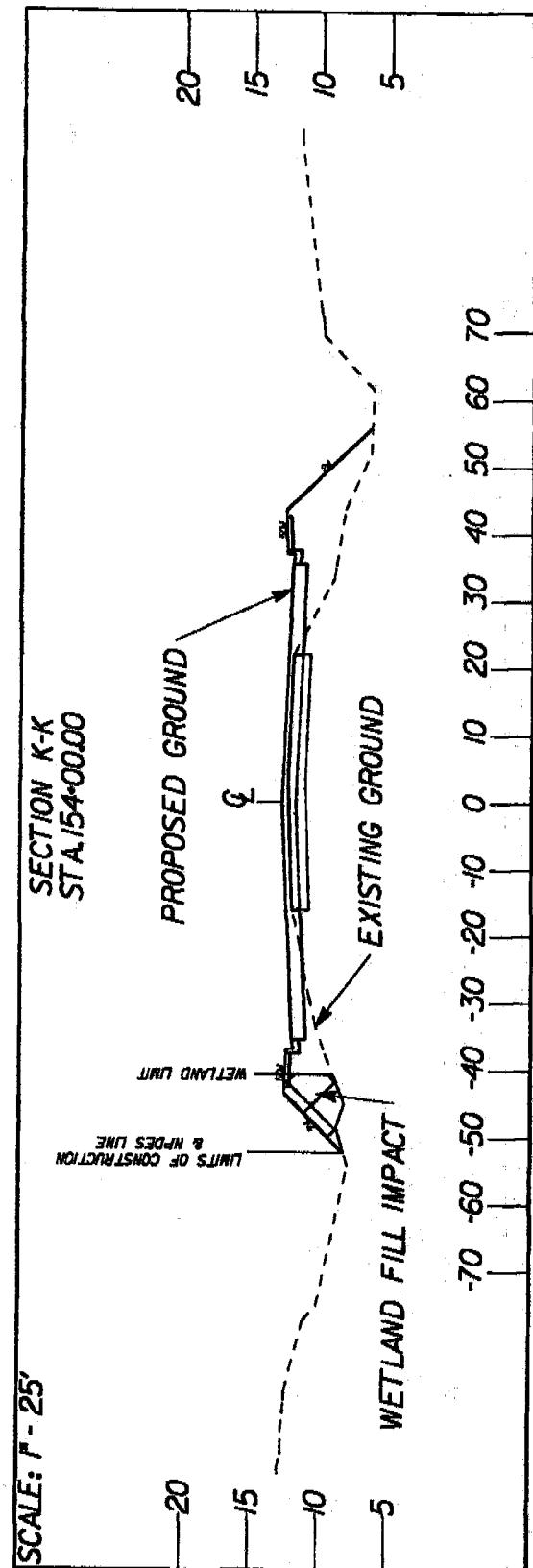
LEGEND
PROPERTY LINE
WETLANDS LIMITS
WETLANDS IMPACT

SC 802 ROAD WIDENING & BRIDGE ADDITION  
PAGE 25 OF 35

2008 - 02169 - DIM- P



SCALE: 1"-25'  
SECTION K-K  
STA/54-0000

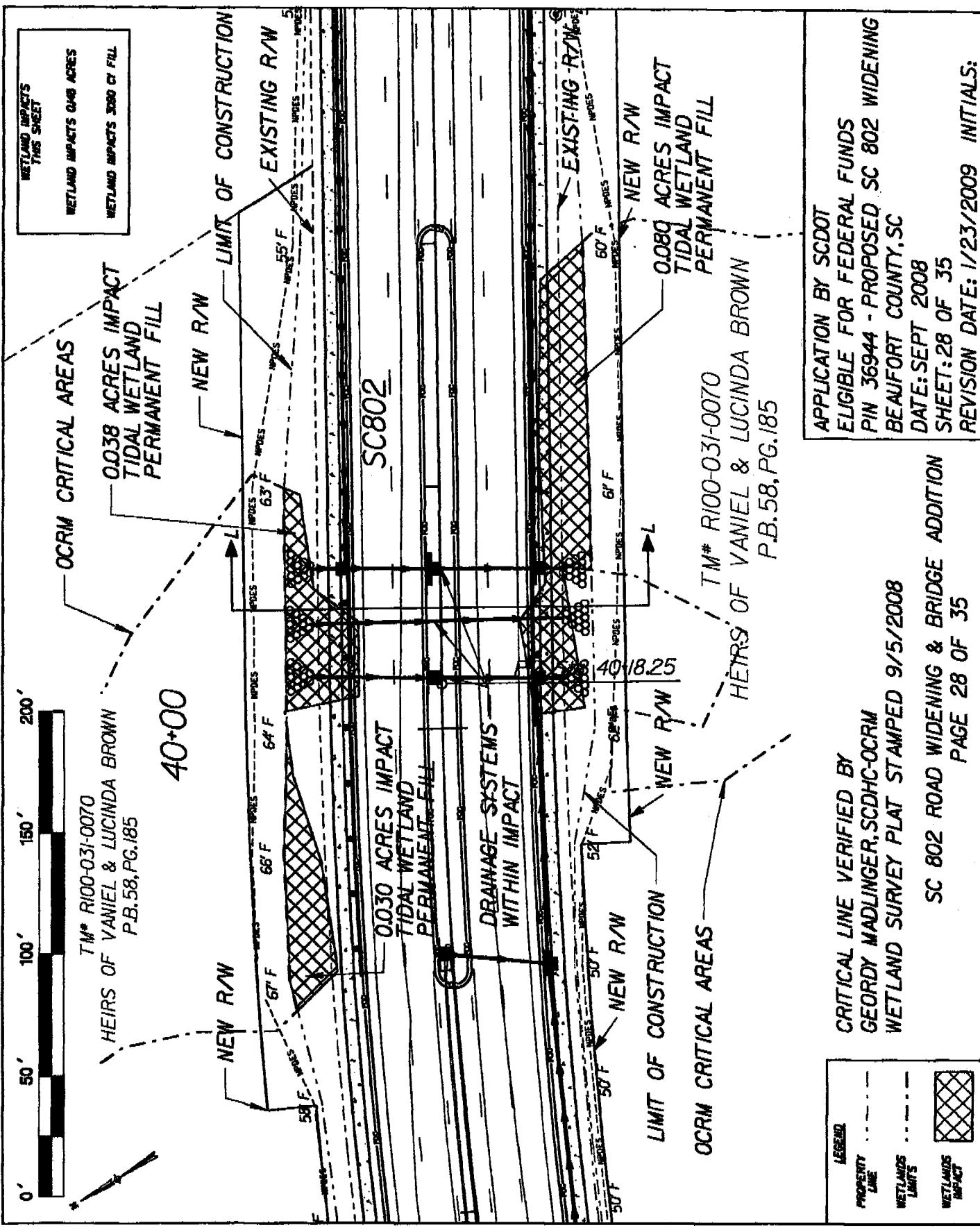


NOTE:  
ELEVATIONS ARE BASED UPON NGVD '29  
APPLICATION BY SCDOT  
ELIGIBLE FOR FEDERAL FUNDS  
PIN 36942 - PROPOSED SC 802 WIDENING  
BEAUFORT COUNTY, SC  
DATE: SEPT 2008  
SHEET: 27 OF 35 INITIALS:  
REVISION DATE: 1/9/2009

LEGEND
PROPERTY LINE
WETLANDS LINES
WETLANDS IMPACT

SC 802 ROAD WIDENING & BRIDGE ADDITION  
PAGE 27 OF 35

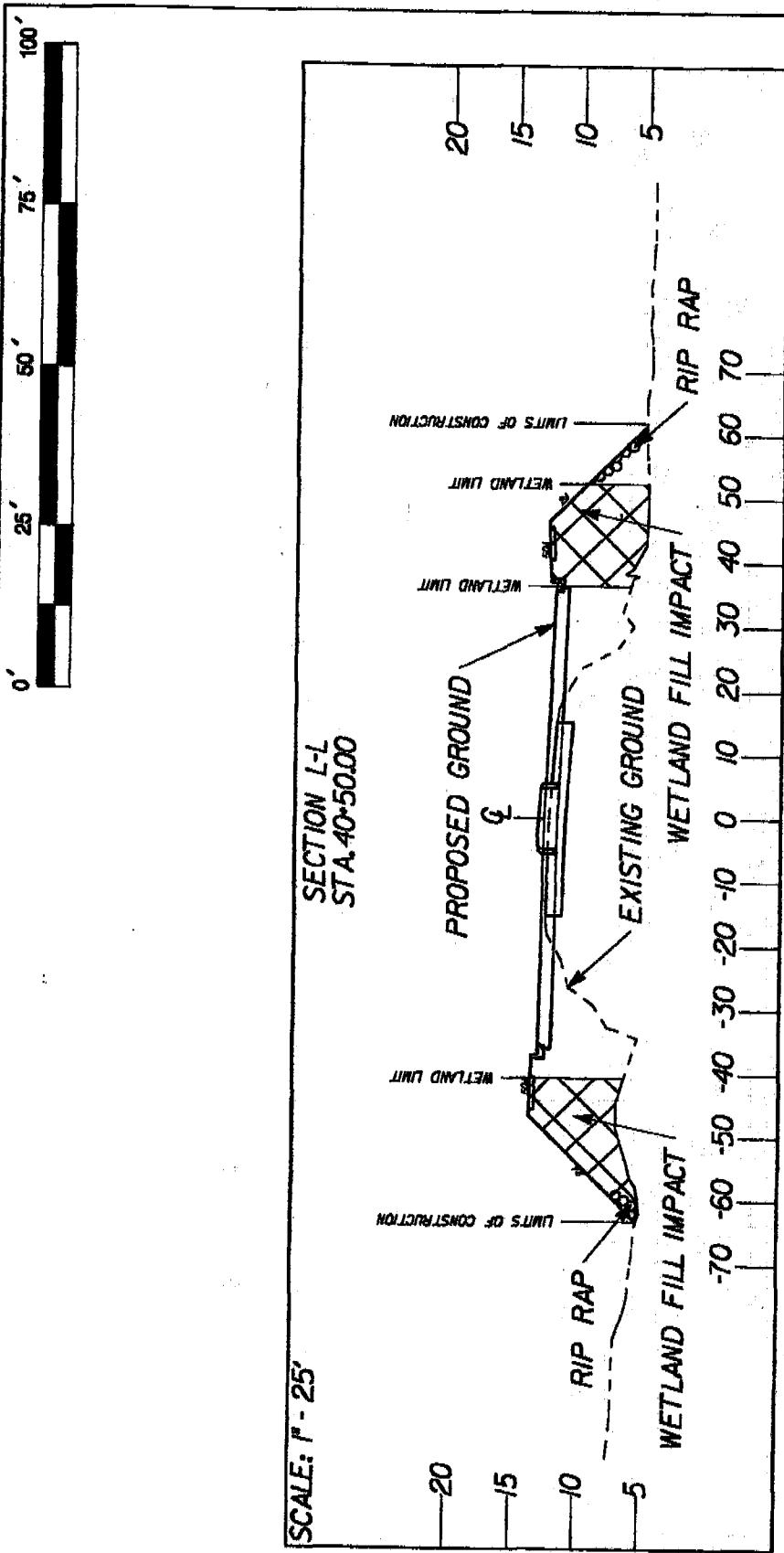
2008-02169-DW-1



2008 • 02169 • DIM-F

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SECTION L-7  
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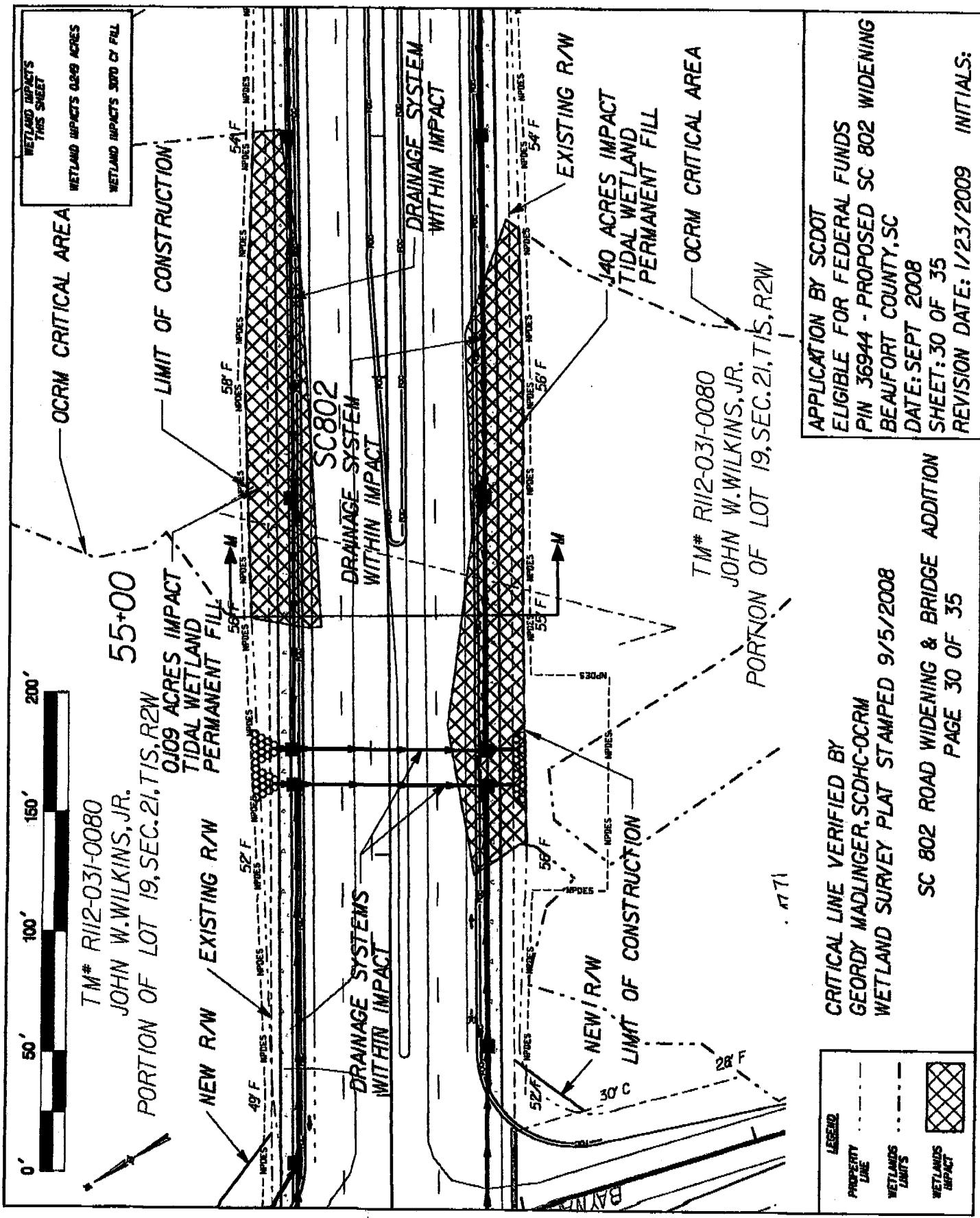


**NOTE:** ELEVATIONS ARE BASED UPON NGVD '29

**APPLICATION BY SCDOT  
ELIGIBLE FOR FEDERAL FUNDS  
PIN 36944 - PROPOSED SC 802 WIDENING  
BEAUFORT COUNTY, SC  
DATE: SEPT 2008  
SHEET: 29 OF 35  
REVISION DATE: 12/31/2009 INITIAL S:**

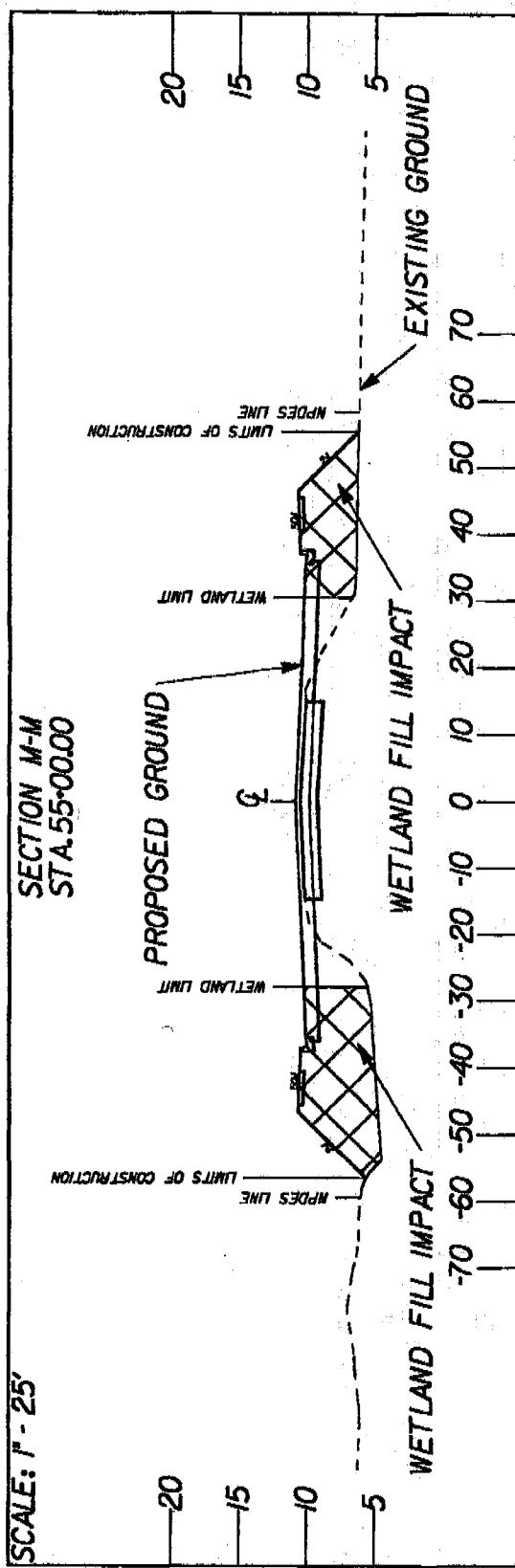
**CRITICAL LINE VERIFIED BY  
GEORDY MADLINGER, SCDHC-0  
WETLAND SURVEY PIAT ST**

2008 - 02/09 - DIM - P



2008 - 02/09 - DIMA - P

0' 25' 50' 75' 100'



**SCALE: 1" - 25'**

**SECTION M-M**  
**STA. 55.000**

SECTION

JUNE

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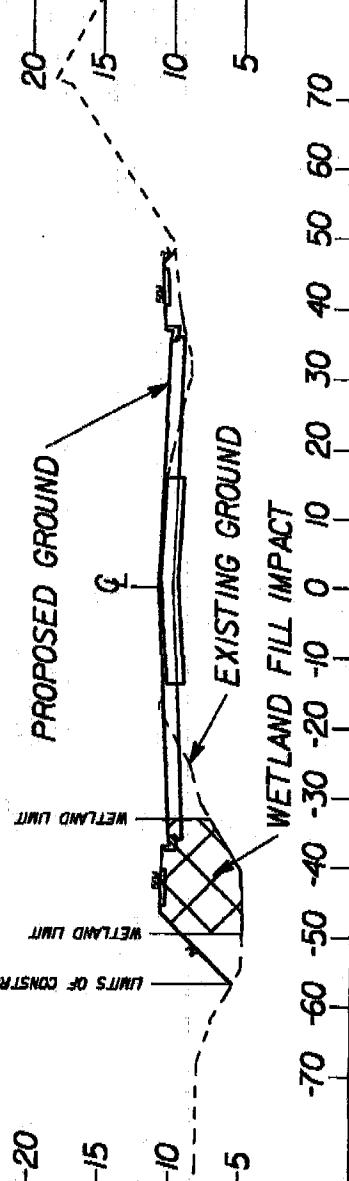
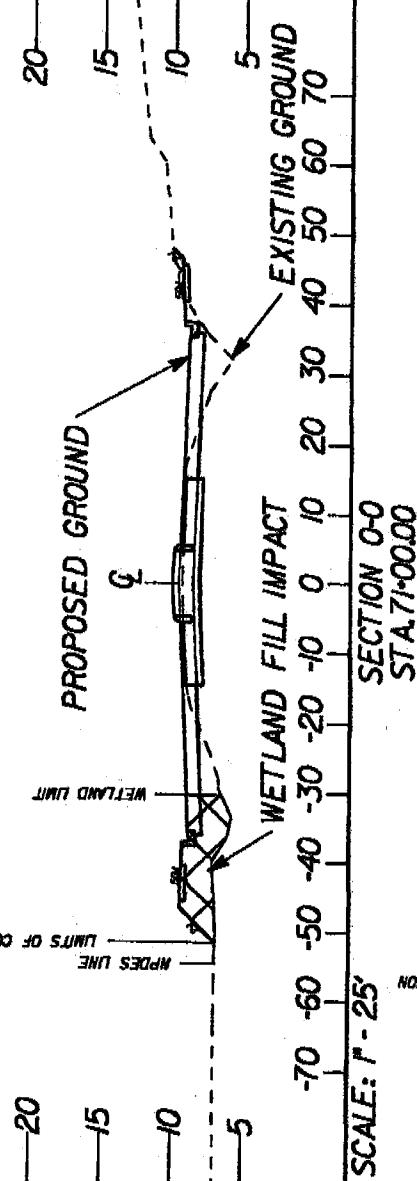
**CRITICAL LINE VERIFIED BY  
GEORDY MADLINGER, SCDHC-OC  
WETLAND SURVEY PLAT STAN**

**NOTE:** ELEVATIONS ARE BASED UPON NGVD '29  
APPLICATION BY SCDDOT  
ELIGIBLE FOR FEDERAL FUNDS  
PIN 36944 - PROPOSED SC 802 WIDENING  
BEAUFORT COUNTY, SC  
DATE: SEPT 2008  
SHEET: 31 OF 35  
REVISION DATE: 1/23/2009 INITIALS:



0' 25' 50' 75' 100'

SCALE: 1'-25'  
SECTION N-N  
STA. 66+00.00

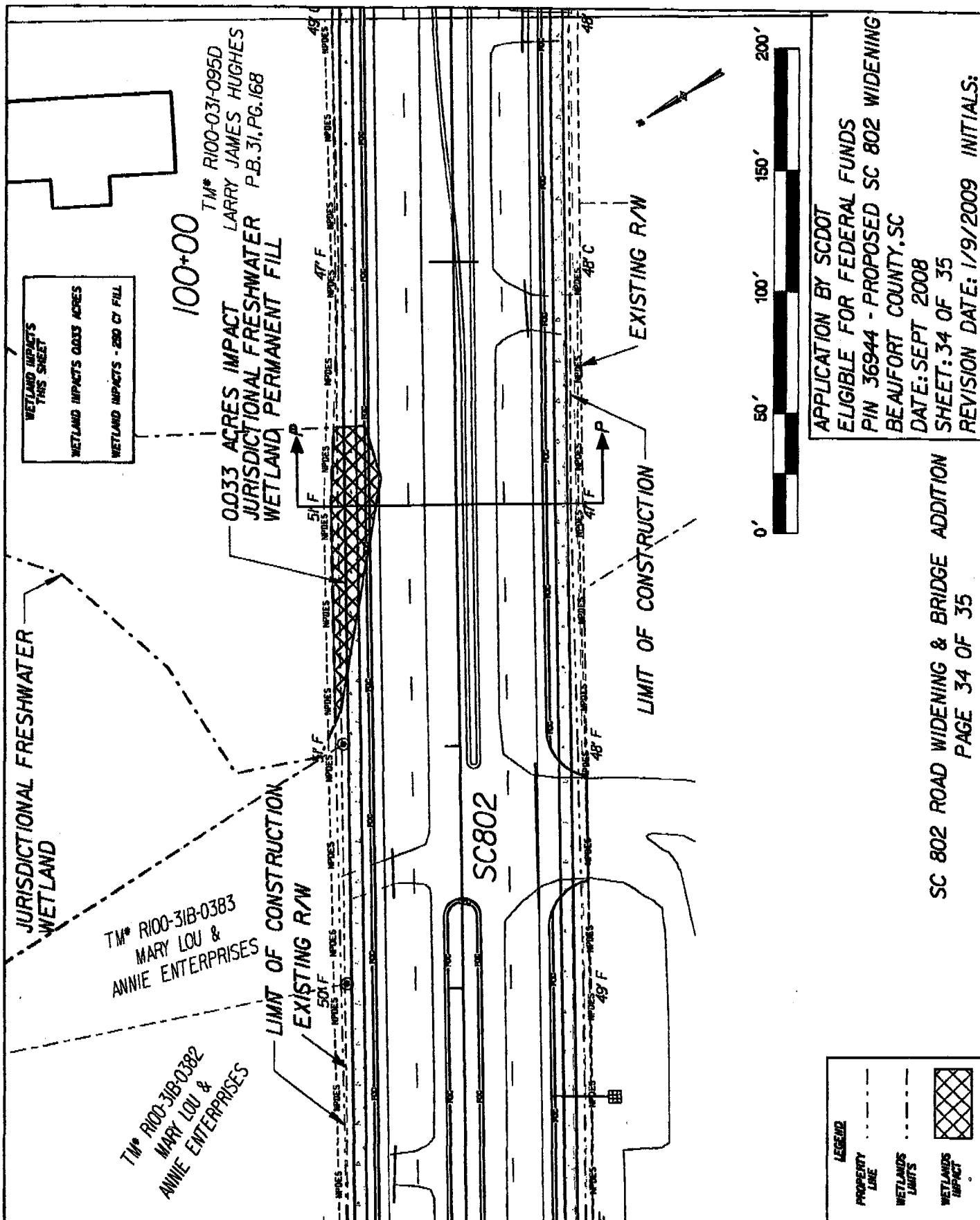


NOTE:

ELEVATIONS ARE BASED UPON NGVD '29  
APPLICATION BY SCDDOT  
ELIGIBLE FOR FEDERAL FUNDS  
PIN 36944 - PROPOSED SC 802 WIDENING  
BEAUFORT COUNTY, SC  
DATE: SEPT 2008  
SHEET: 33 OF 35  
REVISION DATE: 1/23/2009 INITIALS:

LEGEND
PROPERTY LINE
WETLANDS
WETLANDS LIMITS
WETLANDS IMPACT

2008-02169.DIM-P

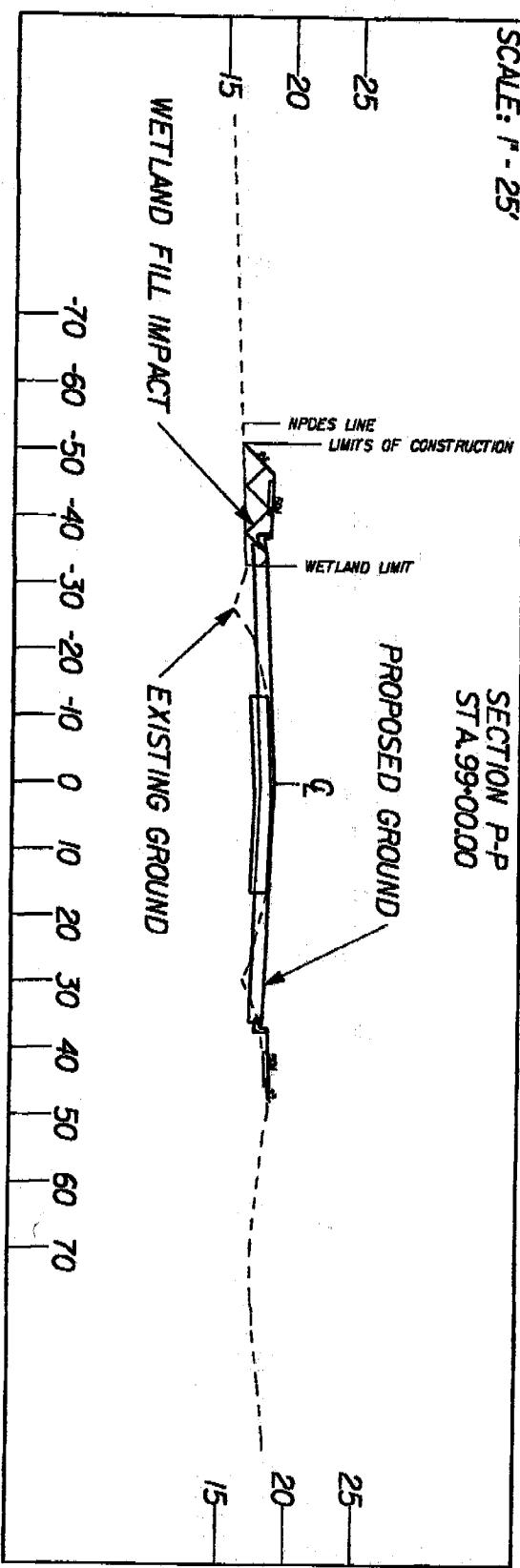


2008-0216A-Dim-A

0' 25' 50' 75' 100'

SCALE: 1'-25'

SECTION P-P  
STA 99-00.00



NOTE:  
ELEVATIONS ARE BASED UPON NGVD '29

APPLICATION BY SCDOT
ELIGIBLE FOR FEDERAL FUNDS
PIN 36944 - PROPOSED SC 802 WIDENING
BEAUFORT COUNTY, SC
DATE: SEPT 2008
SHEET: 35 OF 35
REVISION DATE: 1/9/2009 INITIALS:

2008-021KA-Dim-P